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Spring 1984 Number 28 Four Dollars

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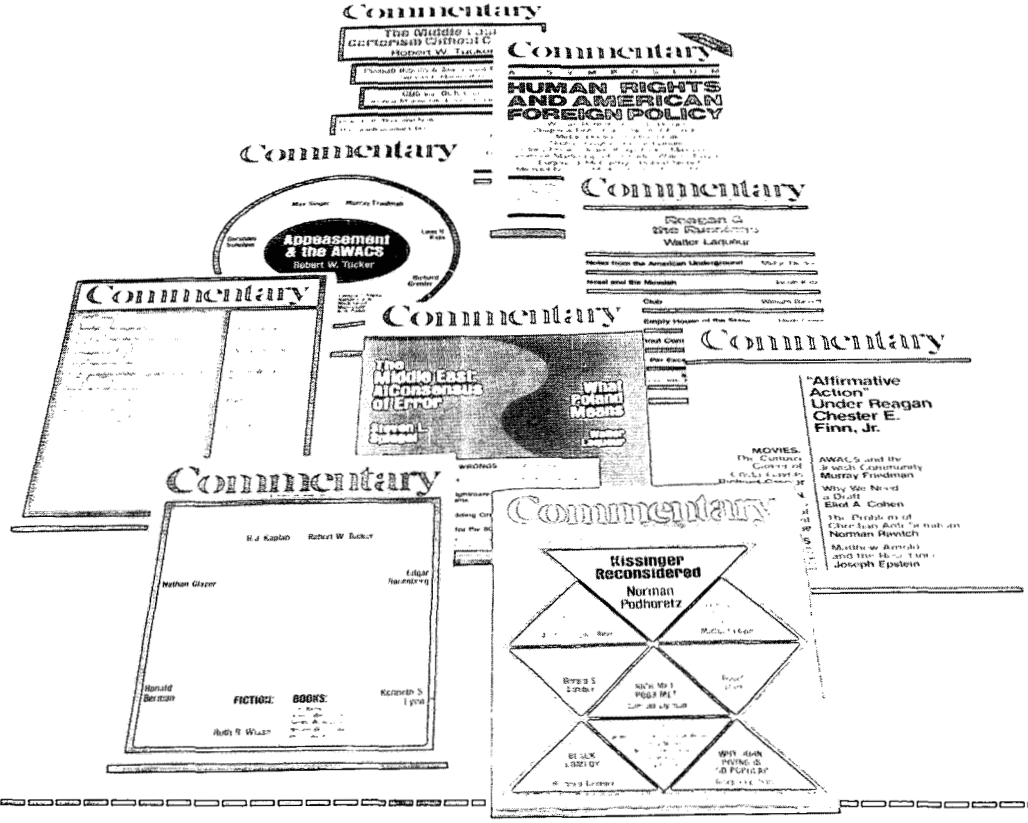

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A Semi-Triumph?

Dear Sir:

George Gilder's essay, "Triumph of the American Mind" (Winter 1984), deserves high praise for its analysis of the development of semiconductor technology and for its insights into Japanese-American competition in this industry.

Mr. Gilder correctly reminds us that the key technologies of the semiconductor revolution have all been made-in-America triumphs and that America retains today a formidable margin of technological leadership in this field.

His thesis about U.S. technological leadership need not be limited to semiconductors. The United States ranks first in such varied fields as agriculture, commercial aircraft, aerospace, large computers and computer software, telecommunications, pharmaceuticals, medical instruments, etc. One might also point to America's virtual dominance of annual Nobel prizes.

The essay should help dispel some of the confusion that abounds in this country over Japan's alleged industrial targeting and government support of growth industries. As Mr. Gilder convincingly shows, the driving force behind the phenomenal development of semiconductor technology, in both Japan and the United States, has come from creative entrepreneurship in the private sector—rather than government policy or subsidy.

Only Americans can judge the validity of his proposals for U.S. policy to support the domestic semiconductor industry. Still, Mr. Gilder points out that world trade is not a "zero sum" game. All nations will benefit if Japan and the United States continue to improve access to our markets, keep our universities' doors open to our best minds, facilitate the international transfer of technology, and strive to compete at our best in the rapidly changing world marketplace.

Technological progress should not be constrained by national boundaries. Both Japan and the United States recently agreed to reduce tariffs on semiconductor imports to zero. Both governments have established a binational committee to explore ways to stimulate high-technology development and exchange. Japan is opening its government-funded R&D projects to participation by qualified foreign subsidiaries in Japan and is expanding opportunities for foreign companies to participate in the procurement programs of the public telecommunications corporation.

Perhaps no better evidence of our need for open competition and cooperation in technology can be found than in the fact that a growing number of American high-tech companies, including many semiconductor firms, have begun to tap Japanese technology and resources by establishing manufacturing presences in the Japanese market.

International barriers to trade and technology transfer remain in all countries. Yet it is only in an open world community that the human mind will triumph in achieving its fullest potential.

Ambassador Shinichiro Asao
Consul General of Japan
New York, New York

Dear Sir:

George Gilder has presented one of the more balanced views of the world semiconductor industry and correctly pointed out the strengths in product technology and the strong U.S. entrepreneurial environment. However, top management is concerned about four major factors that relate to the long-term strength of the industry.

First, there is an inherent as-

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sumption in Mr. Gilder's article that U.S. companies will make money in this industry. This is not necessarily true. With the shrinking margins, high cost of capital, and increased capital asset turnover required to be competitive, most companies will need large amounts of cash for at least the next five years to compete effectively. As new worldwide capacity comes on stream during 1985, prices and margins are likely to suffer at least as badly as they have in the past for commodity products. As a result, many of the large U.S. semiconductor companies may find themselves in a continuing cash drain and hard pressed to make investments for new businesses.

Second, Mr. Gilder may underestimate the manufacturing efficiencies that the Japanese are now achieving in their semiconductor facilities and the inherent strengths that this may give them in making further investments in semiconductors or their systems businesses. Although it is true that some U.S. companies are making higher margins than their Japanese counterparts on some memory products, new capacity coming on stream soon—mainly in Japan—will change that scenario, causing (in the industry) more financial pressure.

Third, Mr. Gilder makes the point that U.S. semiconductor companies must integrate forward into more system products and focus on application selling. This is a major change for most semiconductor companies. The whole culture of a semiconductor company has been based on technology innovation. Customer support and market focus are not the hallmarks of many of these companies. Redirecting companies along these lines is a deep cultural change. New skills are needed, requiring a change in staff or a new organization approach altogether. As my colleagues have pointed out in *In Search of Excellence*, making this type of cultural change takes years to accomplish and is often less successful than hoped for. Intel is making the change; others are having trouble integrating forward.

Although none of these factors alone put U.S. semiconductor companies at a disadvantage, the combination of them does suggest that the U.S. industry needs to move deliberately in the next five years to make the needed changes that will preserve the lead they still have.

Robert J. Conrads
Partner, McKinsey & Company
Los Angeles, California

Constitutional Roulette

Dear Sir:

Eric Meltzer's claim in "Pandora's Convention" (Winter 1984) that the fears about a constitutional convention are "groundless" is a saddening example of the campaign that has persuaded 32 state legislatures to apply to Congress for a constitutional convention to consider a balanced-budget amendment. The campaign has brought us to the brink of a constitutional crisis: If only two more states join, Congress will have to call the first convention under our Constitution. Mr. Meltzer's essay typifies the advocacy that has been so successful in the states: cocksure assertions about the risklessness of the convention route, and unfounded reassurances that there cannot and will not be a runaway convention.

These blithe reassurances have made the ongoing convention-seeking process one of constitutional roulette. Typically, state legislatures that have supported the convention advocates have ignored constitutional uncertainties and misperceived political dynamics.

Where hearings fully explored the convention risks, as in California, legislatures have typically rejected convention applications. Most of the states who have come aboard, by contrast, have done so either inadvertent to the risk or misled by shallow assurances.

I am among the constitutional conservatives who oppose the convention campaign not because of strong feelings for or against the balanced-budget notion, but rather because I do not believe in irresponsible invocations of constitutional processes. The convention route is not only untried but also uncertain and risky. Our only relevant experience is the 1787 Philadelphia convention and that convention was itself a runaway one.

In my view, the most persuasive reading of the text, history, and structure of Article V of the Constitution is that the convention there contemplated is a separate, independent body ultimately not controllable by the applying states *or* by Congress. The final authority to determine the convention agenda rests with the convention itself: The convention delegates may consider any issue perceived by the people who elected them as sufficiently significant to warrant constitutional change.

Mr. Meltzer contends that Congress would block submission to the states of any runaway proposals. I do not believe that Congress has the constitutional power to exercise such a veto, nor do I think that it is politically realistic to expect the very Congress Mr. Meltzer brands as weak to bar popular consideration of convention proposals.

Even Mr. Meltzer seems unsure of the effectiveness of the congressional veto safeguard: He states that if the convention's proposals were to reach the states—presumably because the congressional veto he has just advocated had not worked—the ratification process would bar any real harm. In short, even Mr. Meltzer's scenario supports the view that most constitutional scholars hold—that the convention route is anything but safe.

Is it really deliberate, conscientious constitution making to add potentially major amendments through a process that began in the mid-1970s with a mix of inattention, ignorance, and narrow, single-issue focus; that may well expand to broader issues during the campaigns for electing convention delegates; and that will not blossom fully into a potentially wide-ranging constitutional revision process until the election delegates are elected and meet?

I do not deny that the convention route is a legitimate one when it is deliberately invoked for its intend-

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ed purpose: to initiate major constitutional revisions needed to curb an unresponsive national government. But it is irresponsible to pretend that the convention itself does not have significant autonomous status, that it can be effectively curbed by the applying states or by Congress, or that, constitutionally or politically, convention delegates could not consider all those constitutional issues of major concern to the American people who elected them. If the nation, with open eyes and after more careful attention than we have so far had, considers a balanced-budget amendment so important as to justify the risks of the convention route, that path ought to be taken. But surely it ought not to be taken without the most serious consideration of the foggy road ahead. Mr. Meltzer's piece unfortunately makes the fog even denser.

Gerald Gunther
Stanford Law School
Stanford, California

Eric Meltzer replies:

Gerald Gunther is correct that no one can be absolutely certain about the outcome of a constitutional convention. We have never had one under the Constitution. Perfect knowledge of outcomes is, therefore, unobtainable. However, Professor Gunther's argument that a convention would be an unlimitable autonomous body is nothing more than a bald, unsupported assumption. Claims of crisis are nothing short of inflammatory. Indeed, the actions and writings of the Founding Fathers demonstrate that Professor Gunther's view is wrong.

Referring to the amendment processes established by the Founding Fathers, James Madison said,

"The mode preferred by the Convention seems to be stamped with every mark of propriety. It guards equally against that extreme facility which would render the Constitution too mutable; and that extreme difficulty which might perpetuate its discovered faults. It moreover equally enables the general and the state governments to originate the amendment of errors as they may be pointed out by the experience on one side or on the other."

To suppose that Madison meant that conventions would meet only to make wholesale revisions is absurd. It is obvious to the reasonable mind that Madison saw the two modes of amendment as being parallel. Unlike Professor Gunther, the Founding Fathers as a group supported this view.

Just minutes after the Founding Fathers approved Article V, two delegates wanted another general convention. They were opposed by Charles Pinckney (who voted for Article V) on the grounds that a new convention would generate "confusion and contrarity." Yet if Professor Gunther thinks that only uncontrolled conventions can be called, why would the Founding Fathers adopt Article V and then, just minutes later, disparage the idea of another general convention? The Founding Fathers were extremely sensitive to a general convention's dangers, yet they readily agreed to Article V.

Furthermore, Professor Gunther's argument seems to be based on a profound mistrust of democratic institutions. An orderly procedure for conventions is specified in the Constitution. Indeed, the Founding Fathers left little to chance: Congress must call a convention ordered by the states. But because Article V does not spell out convention regulations to the letter, Professor Gunther assumes a crisis will ensue. To the contrary, Article V is no different from any other amendment that required specific legislation to be implemented. Would Professor Gunther suggest, for example, that there be no income tax because the 16th Amendment does not include tax tables?

Professor Gunther's reply reads like that of the man who loves children but abhors sex. Professor Gunther says the convention route is desirable in cases of dire need but is so fraught with fear that it would seem he could never advocate its implementation. The Founding Fathers, who demanded and preferred the convention method out of democratic principle, would shudder at Professor Gunther's inflammatory hyperbole that creates unnecessary panic among state legislatures, grossly misinterprets the Founding Fathers, and places virtually complete control of the amending process in the hands of the central authority. The Founding Fathers believed that a democratic republic deserved better.

Libertarians for Life

Dear Sir:

In the Winter 1984 edition, Mark S. Pulliam reviewed Henry Mark Holzer's book, *Sweet Land of Liberty?* which discusses the Supreme Court's unwillingness to embrace personal liberty as an absolute value. "To his credit," Mr. Pulliam commented, "Mr. Holzer is consistent: In his view, conscription, wage and hour regulations, antisodomy laws, zoning, obscenity statutes, and antiabortion measures are equally bad."

Mr. Pulliam may not be aware, but many libertarians would strongly disagree that antiabortion laws belong on this list. In fact, the Libertarian party opened its most recent convention with a debate on abortion. Libertarians on both sides of the issue agree with Mr. Holzer that "the only [proper] basis for relations between people is voluntary consent." But where is the child's consent in abortion? "Voluntary consent" implies that *all* parties in a relationship have consented to be in it.

Preborn children have the same right as everyone else not to be killed. Moreover, they have the same right, under justice, that born children have to be given care and protection by their parents. Ayn Rand acknowledged this right of children by publishing in her *The Objectivist Newsletter* (December 1962) Nathaniel Branden's answer to the question, "What are the respective obligations of parents to children and children to parents?" As Mr. Branden declared,

"The key to understanding the nature of parental obligation lies in the moral principle that human beings must assume responsibility for the consequences of their actions.

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"A child is the responsibility of his parents, because (a) they brought him into existence, and (b) a child, by nature, cannot survive independently. (The fact that the parents might not have *desired* the child, in a given case, is irrelevant in this context; he is nevertheless the consequence of their chosen actions—a consequence that, as a possibility, was foreseeable.)"

As Libertarians for Life emphasizes, children, unlike their parents, don't get into this situation as a result of their voluntarily chosen actions; the situation is imposed upon them by their parents.

Mr. Branden, Ms. Rand, and Mr. Holzer would deny that the right of children to parental care applies to preborn children, for they deny that we have any rights before birth. But what greater inconsistency regarding individual rights and voluntary consent can there be than to divide human beings into two classes, those with rights and those without? If there is any substantial reason to deny these human beings the protection of their rights by deed and by law, neither Mr. Holzer nor anyone else has provided it.

Doris Gordon
Libertarians for Life
Wheaton, Maryland

Reorienting Arms Control

Dear Sir:

Let me offer four propositions in response to Robert Kagan's argument in "Why Arms Control Failed" (Winter 1984).

● It is not useful to poor-mouth the nuclear retaliatory capacity of the United States. We have sufficient retaliatory capacity in the submarine- and bomber-based legs of the triad. No sane Soviet military planner could recommend an attack against our Minuteman forces, knowing that we could inflict unacceptable damage on the Soviet Union. The risk of falling short of complete destruction of our Minuteman force is by itself so great—given the destructive power of even a handful of Minuteman missiles—that an attack would be insane even if the other two legs of the triad did not exist. If the Soviets have taken leave of their senses, there is nothing we can do to protect ourselves or our allies. We could only take cold comfort in the knowledge that they would be committing national—indeed global—suicide.

● By acquiring additional first-strike weapons of our own, we only make the situation more precarious, since we increase the chances of preemptive action; we make the situation even worse by putting them in vulnerable silos—as we plan to do with the MX missile. Again, no sane Soviet planner would be deterred by the knowledge that after they had fired their missiles, we could destroy the empty silos. It cannot be argued that we need to prevent a second Soviet salvo. The first one would be more than sufficient to destroy our economy and our society—and to invoke the destruction of theirs.

No sane Soviet planner would be deterred by the knowledge that after they had fired their missiles, we could destroy the empty silos.

Adam Yarmolinsky

● Arms control agreements, thus far, have served essentially to codify the status quo. But that codification is important if there is any value in halting or even slowing down nuclear arms competition, with its accompanying increases in bilateral instability, and the even greater danger of the spread of nuclear weapons to Third World countries. Furthermore, we cannot reverse the process of mutual escalation until we begin by stopping it. It is not yet clear that the objective of controlling the arms race can be accomplished by arms control. It is self-evident that the objective cannot be achieved without arms control. The suggestion that advances in our own weaponry help to bring the Soviets to the bargaining table is not supported by history.

● The proposal that we might protect ourselves from Soviet missiles with ABMs or space weapons seems particularly dangerous. I can't imagine that the Soviets would permit us to acquire this capability, if indeed it were possible to acquire it at all, before they did. They would outdo themselves in the production of offensive weapons to saturate our system. Surely we would do the same, if we thought we were lagging even slightly behind them in such a development. I do not place great confidence in our joint ability to proceed at precisely the same pace—and to be able to satisfy ourselves that the other side was doing so. I prefer to put my hope, if not my trust, in the arms control process.

Adam Yarmolinsky
Kominers, Fort, Schlefer & Boyer
Washington, D.C.

Dear Sir:

The most significant virtue of Mr. Kagan's article lies in its pithy and well-reasoned critique of the arms control mindset out of which we have been operating. Arms control, at least as we in America have been defining it, has failed to achieve its intended objectives—reducing the likelihood of war, easing tensions between the United States and the Soviet Union, and restraining the massive buildup of the Soviet strategic arsenal. Rather than abandoning arms control in disgust, however, Mr. Kagan rightly argues that we must reorient our thinking about arms control such that it becomes an important component (but not the *only* component) of a much broader approach to ensuring the security of ourselves and our allies.

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Americans, being a very legalistic people, like to think that concluding an agreement with the Soviets automatically guarantees Soviet compliance with and essential acceptance of the agreement. History has proven that this is not the case, and there is today a great deal of evidence for numerous treaty violations by the Soviets.

Arms control, by its very definition, does not preclude the enhancement of our strategic deterrent. When complied with, arms control agreements may enable both sides to refrain from engaging in a costly and destabilizing arms race. They do *not* guarantee a state of amity and altruism between the participants, and the record of our Soviet negotiating partner gives us every reason to doubt the validity of the Soviet commitment to arms control. For the United States, bargaining in good faith in arms control negotiations and upgrading the quality of our nuclear deterrent are not mutually exclusive policy options. We need only to balance our desire for peace against our commitment to defend ourselves and our national values. The best way to strike such a balance would be to deploy a space-based defense system like High Frontier. By rendering the utility of the intercontinental ballistic missile virtually nil, High Frontier would make the prospects for effective arms control much brighter, since both sides would then be far more willing to abandon such weapons. Moreover, High Frontier would solve the currently intractable problem of verifying Soviet compliance with a given treaty.

Mr. Kagan advocates a sensible approach to the problem of redressing the strategic imbalance while promoting long-term strategic stability. We must proceed rapidly with both the development of ballistic missile defenses and the modernization of our strategic triad, confident in our ability to act in the best interests of peace. Above all, we must demand of our political leaders the courage to make the difficult decisions necessary to ensure our national survival, instead of promising quick fixes and simple solutions. In short, Robert Kagan's masterly work reminds us that the defense of freedom is not an easy task, but one we must undertake in earnest for the benefit of free people everywhere.

Daniel O. Graham
Lt. Gen., United States (Ret.)
Director, Project High Frontier
Washington, D.C.

Shifting Budget Responsibility

Dear Sir:

Senator William Armstrong's defense of the congressional budget process, "Therapy for the Budget" (Winter 1984), is both timely and appropriate as we consider our difficulties in reducing the federal deficit. There is little doubt that without a comprehensive process, not only would the deficit be greater, but we would have fewer tools with which to approach this problem.

Mr. Armstrong's article discusses a number of proposals that could strengthen the ability of the Congress to exercise better budgetary discipline—the original intent of the Congressional Budget Act. I am, however, very concerned over his support of various schemes proposed in the past several years that would relinquish the responsibility for budget control to the executive branch. There is a big difference between instituting procedures to make Congress more effective and accountable, and ones that merely shift this responsibility down Pennsylvania Avenue.

Specifically, Mr. Armstrong would empower the President to "line item veto" individual programs in appropriation bills, while suggesting that Congress should consider enacting omnibus spending measures to cover the entire government for two years at a time. In other words, he would have us set forth a comprehensive and detailed budget that would be subject to deletions chosen at the discretion of the President. If he didn't like any one program or activity, he could frustrate a decision made by a majority of 535 other elected representatives of the people.

On the basis of preventing some expenditures, the line item veto may have some appeal, but if one considers the Constitutional and institutional implications, its dangers to our republic are enormous.

Consider President Carter's antipathy toward the B-1 bomber or the Peacekeeper missile, or some future President's views on other national security programs, law enforcement, social security, aerospace and health research, or any of a host of other federal activities. The reason that such a significant delegation of responsibility would require an amendment to the Constitution is because it represents such a significant revision in the coequal branch of government framework that was the genius of our nation's founders. Not only do I disagree with such a step, but I am alarmed that it could be so quickly and superficially considered by many of its advocates.

There are no simple or clear methods to effect an immediate reduction in the federal deficit. As chairman of the Committee on Appropriations, I have labored long and hard, within the constraints of existing legislative policy, to pass spending bills that keep spending at responsible levels. I am proud that in the past year we have succeeded in passing ten of the thirteen regular appropriations bills for the federal government—a significant improvement over our record of the previous five years. Furthermore, not one of the fifteen spending measures sent to the President has deserved or received a veto.

Domestic nonentitlement spending has been effectively frozen for the past several years. If we can similarly restrain other aspects of the federal budget, especially entitlements and the growth in military expenditures, I am sure that the deficit can be eliminated. This is an issue of priorities and political courage that we should demand of our elected public representatives, and not of the budget process or of the Constitution.

Senator Mark O. Hatfield
Committee on Appropriations
United States Senate
Washington, D.C.

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Acerbic Words on Acid Rain

Dear Sir:

S. Fred Singer's "Acid Rain: A Billion-Dollar Solution to a Million-Dollar Problem?" (Winter 1984) serves to remind us that some questions regarding acid rain are not resolved to absolute scientific certainty. Mr. Singer's main thesis is that if our best scientific judgment overstates the extent of damage from acid rain, any major control actions taken now may be unnecessarily expensive. Mr. Singer's emphasis on uncertainties leads to improbable conclusions that are not supported by the weight of authoritative scientific opinion.

Mr. Singer's article presents a skewed view of the accepted facts concerning acid rain by emphasizing narrow areas of residual uncertainty.

Senator Tsongas

The extent and severity of acid rain are the subjects of a June 1983 report of the Acid Rain Peer Review Panel appointed by the President's science adviser. The panel, of which Mr. Singer is a member, concluded that despite uncertainties, "there are many indicators which, taken collectively, lead us to our finding that the phenomena of acid deposition are real and constitute a problem for which solutions should be sought . . . If we take the conservative point of view that we must wait until the scientific knowledge is definitive, the accumulated deposition and damaged environment may reach the point of 'irreversibility.'" The panel recommended that "additional steps should be taken now which will result in meaningful reductions in the emission of sulfur compounds into the atmosphere, beginning with those steps which are most cost effective in reducing total deposition." Hence, both the content and the intent of Mr. Singer's article are at odds with the panel's document.

Mr. Singer's article consistently presents a skewed view of the generally accepted facts concerning acid rain by emphasizing narrow areas of residual uncertainty. For example, Mr. Singer cites a finding in a 1983 report of the National Research Council (NRC) that there is a proportionality between sulfur emissions and acid deposition. He then hypothesizes that "an important (and unknown) factor may be a reduced transformation rate of SO_2 into sulfuric acid during the winter." Although seasonal variations have been observed, such factors are irrelevant as long as NRC's claim is accurate concerning the proportional relationship between acid deposition and emissions within one year. For if such proportionality exists, a national halving of emissions will correspondingly reduce acid deposition.

Mr. Singer further discounts the efficacy of emission controls by citing European studies that indicate that a reduction in emissions in Great Britain had no effect on the levels of acid rain in Norway. The experiment, as reported, is incomplete because much of Scandinavia's acid rain problem originates in heavily industrialized areas of Central Europe, where air pollution has not been of prime concern. In fact, the European evidence of pervasive acid rain damage was compelling enough for West Germany to issue last year a proposed rule for 50 percent sulfur emissions reductions from existing utilities and industrial boilers. The article conveys only part of the story.

Mr. Singer states that there are no reliable dollar estimates of damage from acid rain. Admittedly, no precise cost estimates are possible. Nevertheless, there is enough credible evidence to approximate reasonably accurate calculations of probable minimal damage. A 1981 report of the National Academy of Sciences estimates that damage from acid rain in the eastern third of the United States alone reached $5 billion in 1978. This estimate includes damage to materials, forest ecosystems, agriculture, aquatic ecosystems, and health and water supply systems. This estimate may in fact be conservative, since the President's task force report estimated that the overall effect of acid precipitation on U.S. crops alone could be worth 5 percent of its cash value, or approximately $3.27 billion in 1982.

In summary, Mr. Singer's article is long on uncertainties and short on policy solutions. Although any remedy pursued must have a rational price tag, *ex post facto* mitigation of damage by acid rain can be vastly more costly and less effective than instituting and enforcing acid rain control policies now. The acid rain bills proposed vary in their emission reduction levels and their approach to the funding of these reductions. Most of them offer responsible alternatives for reducing emissions, while accounting for the costs of SO_2 reductions, including potential job losses and increasing electric rates. If legislators follow Mr. Singer's lead by focusing on remote possibilities, this country runs the very real risk of accepting a million-dollar solution to a billion-dollar problem. Let us all agree that acid rain is a serious problem and work together on the most cost-effective solution.

Senator Paul E. Tsongas
United States Senate
Washington, D.C.

S. Fred Singer replies:

The thesis of my piece is consistent with the White House panel's recommendation: To make meaningful emissions reductions in eastern North America using least-cost methods. Our panel avoided the two extreme positions: No further action on emissions until all research is completed (which may be

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5 years, 10 years, or never); or arbitrarily deciding on a 50 percent reduction of SO_2 emissions from midwestern power plants, in a wildly expensive program, without scientific assurance that there will be any kind of proportionate reduction of acid rain and its effects, and without economic assurance that the benefits are anywhere near commensurate with the annual costs of some $10 billion.

The panel's recommendation owed much to the recognition that *some* methods of removing a pound of sulfur cost as little as 1 percent as, for example, the use of flue gas scrubbers retrofitted to power plants already burning low-sulfur coal. We ought to exhaust the available low-cost methods, even if we are not 100 percent sure that there will be an environmental improvement—as a kind of risk insurance.

Now to deal with the scientific issue of proportionality: Will acid depositions be cut by 50 percent if sulfur emissions are reduced by 50 percent? The 1983 National Academy-NRC report hedges quite a bit: "There is no evidence for a strong non-linearity in the relationship between long-term average SO_2 emissions and sulfate deposition." But even this weak conclusion is said to apply only to eastern North America *taken as a single region*. Local emission sources have a stronger influence than distant ones, and there are no validated, reliable atmospheric models that can be used to pinpoint regions where emissions reductions should be most effective. In other words, the NRC report does not support current legislation.

The NRC report acknowledges nonlinearities in European data, between SO_2 emissions and sulfate depositions, but shrugs off this finding by claiming that Europe is different. Nor does the NRC report do justice to the influence of NOX on the deposition of nitrates and, synergistically, on sulfates. In fact, the report was characterized as "flawed in several areas" by reviewers from the National Laboratories. Obviously, there is great scientific uncertainty whether further emission abatement will be effective.

I must also disagree on the German forest situation, which I investigated last August. There is no "European evidence of pervasive acid rain damage." Whatever is damaging German spruce trees cannot be just acid rain; it must be due to other factors. Since the cause or causes are not known, acid rain cannot be excluded. But it is important to note that lichens, a key indicator for sulfur, were unaffected.

Now the economic side of the argument: Although it is possible to calculate *costs* of emission control under various scenarios, our panel could find no numbers on *benefits*—the damage avoided by reducing the acidity of rain. We reviewed the U.S.-Canadian reports. They don't mention the $5 billion benefit figure put out by the National Academy of Sciences in 1981, and probably for good reasons.

Senator Tsongas quotes the panel's "estimate" of U.S. crop losses of 5 percent (over $3 billion). As a member of the panel, I will show how such information gets distorted, misquoted, and finally accepted.

On June 27, 1983 the panel released an *interim* report. For agricultural losses, this report presented a guess, and not even an educated one: "The effect of air pollutants *may* be important but the quantitative evidence is scanty. (An estimate for ozone damage to agriculture in the United States is five percent of the cash value. We *anticipate* that the overall effect of acid precipitation on crops could be *comparably* significant.)" (Emphasis added.)

Now why would acid rain and ozone be comparable? They don't occur together, and they have different mechanisms (ozone attacks leaves, acid rain might affect soils). The source of the paragraph is one of the U.S.-Canadian reports that our panel reviewed. That report speaks only about ozone damaging crops and does *not* extrapolate to acid rain. The ozone loss figure came from a paper by Walter W. Heck et al.; I quote: "A previous estimate of direct crop losses, using limited available data and assuming that all areas of the U.S. just met the current O_3 standard . . . showed a loss of . . . 2 to 4% of crop production . . ." Mr. Heck's previous estimate (which he admits is uncertain) was arrived at by *assuming* the maximum allowable ozone concentration everywhere. This figure was accepted and somehow increased to 5 percent, the qualifying assumptions were conveniently dropped, and the acid rain damage was added by speculative extrapolation.

Self-reliance in War

Dear Sir:

Reading Professor Bernstein and Colonel Waghelstein's "How to Win in El Salvador" (Winter 1984) brought to mind that great line in the movie *Patton*. Looking out toward German General Erwin Rommel's lines in the North African desert, General George S. Patton reputedly said, "You so-and-so, I've read your book."

Unlike their counterparts during the Vietnam War, authors Bernstein and Waghelstein appear to have read the book on guerrilla warfare—specifically Chinese Marshal Lin Piao's *Long Live the Victory of People's War!* Written in the mid-1960s, the book was seen as the blueprint for worldwide Communist insurgency where the "world countryside" (the underdeveloped nations of the world) would overthrow the "world's cities" (the developed Western democracies).

Overlooked was Lin Piao's stress on the policy of self-reliance. "During the war of resistance against Japan," he wrote, "Comrade Mao Tse-tung said, 'China has to rely mainly on her own efforts . . . We hope for foreign aid but cannot be dependent on it; we depend on our own efforts, on the creative power of the whole army and the entire people.'" With this example, Lin Piao concluded that "in order to make a revolution and to fight a people's war and be victorious, it is imperative to adhere to the policy of self- reliance . . . If one does not operate by one's own efforts, does not independently ponder and solve the problems of

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the revolution in one's own country and does not rely on the strength of the masses, but leans wholly on foreign aid . . . no victory can be won, or consolidated even if it is won."

The truth of Lin Piao's analysis was brought home with a vengeance during the Vietnam War. In Hanoi on a negotiating mission less than a week before Saigon's fall, a North Vietnamese major tried to ease my discomfort with the words, "You should not feel badly. You have done more than enough . . . more than enough." He was more correct than he knew, for if one had to isolate the single most important flaw in our Vietnam War strategy, it would be that the United States, in totally dominating the war, undercut and ultimately destroyed the self-reliance of the South Vietnamese leadership. It is thus encouraging that, as Professor Bernstein and Colonel Waghelstein relate, we appear to be avoiding that mistake in El Salvador.

I take issue, however, with their statement that our problem in Vietnam was that "we were unable to force a Clausewitzian main battle against [the enemy]," a statement that represents a common misreading of Clausewitzian doctrine. Not an advocate of the set-piece decisive battle, Clausewitz knew full well that "in war many roads lead to success." An absolute precondition for this success is what Clausewitz called the "remarkable trinity" of the people, the government, and the army. An essential foundation for waging war, strengthening and reinforcing this trinity is especially important in a country faced with internal war. One of the preconditions of an internal war is that the linkage between the people and their government must be weak, and since the army is the protector of the state, the linkage between the people and the army must also be weak. Counterinsurgency operations, therefore, must be specifically designed to strengthen the linkage of the people-government-army trinity. This task can be done only by the nation itself, for history proves that this linkage is weakened, not strengthened, with the introduction of foreign troops.

By avoiding a U.S. combat presence and by building their own counterinsurgency capabilities, El Salvador appears to be on the right track. But as Professor Bernstein and Colonel Waghelstein conclude, "Victory in El Salvador requires patience." The greatest enemy to the success of our policies in Central America is the American impatience that led to our overinvolvement and ultimate defeat in Vietnam. Frustrating as it may well be, we must continue to resist the temptation to do for El Salvador what, in the final analysis (as Lin Piao emphasized), can be done only by the Salvadorans themselves.

Colonel Harry G. Summers, Jr.
Army War College
Carlisle Barracks, Pennsylvania

Tricky Sloganeering

Dear Sir:

The "gender gap" ("What Do Women Want?" Winter 1984) is a clever piece of subliminal sloganeering invented by the diehard anti-Reaganites who are still bitter about losing the 1980 election.

Subliminal advertising has been a well-recognized technique since the 1950s when the first movie theater flashed the words "eat popcorn" on the screen at one-thirtieth of a second. A couple of words flashed for a fraction of a second on the movie or television screen can be recorded in your brain below the level of consciousness and impel you into action. Subliminal advertising is usually geared to appeal to the senses, but it can be even more powerful when it appeals to the emotions.

Gender gap was defined by the slogan's inventors as "Reagan and Republicans hate women." The media then advertised the slogan on a scale commensurate with Procter & Gamble's launching of a new product. The result is that every time this subliminal slogan is used, the audience hears "Reagan and Republicans hate women."

When Republicans talk about the gender gap, they set up an emotional roadblock in the voter's psyche. The mere use of the term requires Republicans to start their argument by trying to explain that President Reagan really doesn't hate women. Playing that game is like playing football without ever getting past the 50-yard line.

The gender gap is a fraud, anyway. The only thing women have in common with each other is that they are not men.

Phyllis Schlafly

Massive publicity about the freak Tylenol murders put a fear in the mind's eye of Tylenol users that a terrible death might be lurking in their medicine cabinet. The Tylenol advertising geniuses were able to overcome that disastrous publicity and build bigger sales than ever before. But they did not achieve that result by starting each ad with the words, "Let us explain to you our side of the Tylenol murders . . . " However, that is exactly what politicians and writers do every time they start explaining President Reagan's side of the gender gap issue. You simply cannot refute emotional images and subliminal slogans by logical discourse.

The gender gap is a fraud, anyway. It has no existence as a fact, as an election result, or as a voting bloc. It is 5 percent a hypothesis based on a subjective interpretation of answers by a few thousand people to a few subjectively phrased questions, plus 95 percent media hype exaggerated with trick mirrors like those in amusement parks.

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This illusion is predicated on the false assumption that women are a voting bloc that can be isolated and dealt with like blacks or Hispanics or farmers or union workers or senior citizens or doctors. The only thing women have in common with each other is that they are not men.

The gender gap salesmen have tricked Republicans and White House spokesmen into letting President Reagan's enemies select the language and frame the parameters of discussion. I hope President Reagan will be choosing his own issues in 1984.

Phyllis Schlafly
President, Eagle Forum
Washington, D.C.

Rachel Flick replies:

I do not believe that anyone can do better for the American people—men and women alike—than to pursue the foreign and domestic goals for which the President has always stood. Moreover, I believe that notwithstanding the 16-point difference between the genders' support for the President, women support these goals as strongly as men do. President Reagan works for stability and freedom abroad and for security and prosperity at home, and in pursuing these ends he represents America.

The point I intended to make was, I believe, the same point that Mrs. Schlafly makes with respect to the words "gender gap." I meant that the President's means cannot be explained in the terms of his opposition. As Mrs. Schlafly points out, all terms, in politics and elsewhere, define their own field of discussion. One stands a better chance of expressing oneself clearly if one chooses one's words from the domain of the whole language, rather than from a domain established to make a contrasting case.

Corrections

A typographical error was made in Midge Decter's essay, "For the Family," which appeared in the Winter 1984 issue. The suicide rate among youngsters between the ages of 18 and 25 increased by 250 percent, not 25 percent.

Also in the Winter issue, some information in the first column of page 24 ("Triumph of the American Mind") was incorrect. The sentences should read: "For the first three quarters of 1983, sales of capital equipment rose four times the average pace in previous postwar recoveries, despite a 9 percent decline in sales of nonelectrical machinery. Though consumer spending failed to ignite until the second quarter of 1983, computer and electronics sales lurched upward at a 17 percent annual rate in the first quarter after steady advances through 1982. . . . By the end of 1978 venture funds had risen more than 15-fold, from $37 million in 1977 to some $570 million in 1978. . . . Following a further cut in capital gains levies, venture spending rose to some $3 billion and new public issues of stock soared to more than $7 billion in the first eight months of 1983."

The Spring-Summer 1984 issue of

This World

soon will be off press. Its contents will include:

Max L. Stackhouse on the need for a "public theology," with responses by Michael Novak, Martin E. Marty, Donald W. Shriver, Jr., Ernest L. Fortin, and S. Mark Heim; Francis X. Maier on African politics and ideology; Stephen Miller on the idea of equality in American literature; and contributions by Allan C. Carlson, Hillel Fradkin, Jacob Neusner, John Langan, and William McGurn, among others.

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The Burger Court and the Founding Fathers

Are We All Activists Now?

Terry Eastland

The Supreme Court of Chief Justice Warren Burger has been a disappointment to those conservatives who hoped for a major shift from the legacy of Earl Warren. Not only has the Burger Court failed to overturn, or even to modify substantially, the principal decisions of the Warren Court. It has also compiled a record of judicial activism that rivals its predecessor's. For example, it is the Burger Court, not the Warren Court, that has approved busing as a remedy for segregation, announced a woman's right to abortion, extended procedural due process to public school students charged with misbehavior, and effectively rewritten the Civil Rights Act of 1964 to allow racial quotas in private employment. However desirable any particular result may be, such decisions have continued to entangle the federal judiciary in policy making, thus diminishing the capacity of Americans to govern themselves.

Near the top of any list of major Warren Court rulings is *Miranda v. Arizona* (1966). An activist decision that was perhaps the Warren Court's most controversial, *Miranda* held that confessions or incriminating statements obtained from suspects who had not been advised of their rights could not be used in court. *Miranda* mandated significant changes in law enforcement practices throughout the country by announcing specific procedures—the sort one typically finds in legislation—for police to follow during interrogations of suspects. Conservatives argued that *Miranda* lacked constitutional warrant. Justice John Harlan, for example, noted in dissent that "until today the role of the Constitution has been only to sift out undue pressure [by police on suspects], not to assure spontaneous confessions."

During the early seventies, decisions in several cases suggested to some that the Court might be willing to abandon *Miranda*. In *Brewer v. Williams* (1977) the Court had a splendid opportunity to do just that—but declined in a 5 to 4 ruling that drew an angry dissent from Chief Justice Burger. Nonetheless, by 1980 the Chief Justice himself seemed resigned to the permanence of *Miranda*. Concurring in an opinion defending the 1966 decision, he wrote that he "would neither overrule *Miranda*, disparage it, nor extend it at this late date."

The Warren Court's reapportionment decisions also rank among its most significant. Today they, too, remain in force, and in some respects they have been strengthened. Affecting general elections for representative officials, those decisions boil down to this: that the right to vote is a fundamental right, meaning that each vote must count equally in a mathematical sense; that the franchise must be broadly available; and that for the vote to be meaningful, the ballot must reflect an adequately representative choice of parties and candidates.

This formulation may seem appropriate to many, but it is only one of several possible interpretations of what representative democracy means at the ballot box. As Felix Frankfurter argued in dissent against judicial involvement in reapportionment, any decision regarding redistricting requires a choice among "competing theories of political philosophy"—a choice that has historically been considered a legislative, not a judicial, responsibility. Moreover, the Warren Court's philosophy of "one man, one vote" is not obviously found in the language or theory of a Constitution that established the Senate and the electoral college.

Instead of reopening the basic question regarding competing political philosophies and the even more basic question of whether the federal judiciary should even decide among these philosophies, the Burger Court has basically followed the trail blazed by its predecessor. While allowing some deviations at the state and local level from the one-man, one-vote requirement, the Burger Court has ensured the availability of the franchise by invalidating durational residency as a condition affecting voting. (The Warren Court invalidated military status, the poll tax, and property ownership.) Furthermore, the Burger Court has followed the Warren Court in the effort to make votes "meaningful" by requiring the elimination of filing fees for indigent candidates.

Two of the Warren Court's most disputed decisions

TERRY EASTLAND *is a special assistant to the attorney general; the views expressed are his own. A journalist, Mr. Eastland is coauthor of* Counting by Race: Equality from the Founding Fathers to Bakke and Weber.

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concerned church and state. Building on the landmark establishment clause case of *Everson v. Board of Education* (1947), the Warren Court relied on the principle that the First Amendment commands neutrality between church and state in order to strike down state-sponsored school prayers and other religious exercises. Whatever one may think of the results in these cases, the view of the establishment clause on which they rest is open to serious question. The Congress that framed the First Amendment did not speak the modern language of neutrality but intended the amendment to preclude the establishment of a national church and the preferential treatment of particular religious sects.

Instead of reconsidering the Warren Court approach in light of these facts, the Burger Court has consistently maintained it whenever school prayer or other devotional activities have been at issue. Meanwhile, the Court has developed an approach to questions of state aid to church-related schools that has led to confusing results. Chief Justice Burger, writing for the Court in *Lemon v. Kurtzman* (1971), announced that a statute providing such aid must have a secular legislative purpose; that it must have a principal or primary effect that neither advances nor inhibits religion; and that it must not foster "an excessive government entanglement with religion." Applying this three-part test, the Burger Court has approved state lending of textbooks to pupils in nonpublic schools but invalidated lending of other instructional materials, such as maps and films. It has also upheld reimbursement for state-mandated testing if the tests are prepared by the state but not if prepared by nonpublic school personnel.

Recently, the Court has declined to apply the three-part test to such traditional religious involvements of church and state as Nebraska's sponsorship of a legislative chaplaincy. In this case, *Marsh v. Chambers* (1983), the Court based its decision on a more accurate reading of the history of the framing of the First Amendment and, more generally, of the founding period. But whether this portends a substantial change in establishment-clause jurisprudence—one that reflects the history and theory of the Constitution and that is applied more broadly to church-and-state questions—is far from clear. And indeed, a good argument can be made that most of what the Burger Court has done in this area is what a continued Warren Court would have done.

The Burger Court also has accelerated the movement, initiated under the Warren Court, toward judicial administration of school systems. By the late sixties the Warren Court had moved beyond its famous decision in *Brown v. Board of Education* that "separate but equal" school systems are unconstitutional—as they clearly are under the 14th Amendment—to specify that every segregated school system must become "unitary." What that meant, or how it was to be achieved, was left to the Burger Court to decide. And in 1971, in a unanimous opinion written by Chief Justice Burger *(Swann v. Charlotte-Mecklenburg)* the Supreme Court upheld a lower court order mandating forced busing, the aim of which was racially balanced schools. This represented an extraordinary—indeed an activist—use of the court's equity powers.

The Court says they are violating the Constitution.

Historically, equity had been defined as an appropriate judicial power to be used to restrain the operation and enforcement of unjust laws. Equity now was employed not in a restraining sense but in a manner that helped further a policy goal—in this case, "racial balance."

Swann concerned *de jure* segregation—segregation imposed by law. The Burger Court has tried to avoid the issue of whether de facto school segregation—segregation resulting from housing or living patterns—is also unconstitutional. But in upholding busing orders in cases since *Swann,* the Court has so broadly defined *de jure* segregation as to deny the need to clarify the constitutional status of de facto segregation. Under the Court's authority busing has spread beyond the South.

In Warren Burger's first 10 years as Chief Justice, the Supreme Court struck down 230 pieces of legislation: 34 federal laws, 182 state statutes, and 13 local ordinances—a Court record for one decade. One reason for this rapid pace is the Court's activism in its exercise of the power of judicial review. This, the most common form of activism, occurs when a court goes beyond the language of the Constitution or the intention of the framers to read into the Constitution its own views and then strike down laws that are deemed in conflict. There are a variety of ways to so amend the Constitution in a judge's chambers and thus substitute the judiciary's policies for those of the people. One well-established way is to declare the existence of heretofore unknown constitutional rights—"fundamental rights," as the Court has called them.

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The Warren Court ruled that "separate but equal" school systems were unconstitutional—as they clearly are. It was the Burger Court that mandated forced busing and moved toward judicial administration of school systems.

In 1965 the Warren Court did just this when it announced a constitutional right to privacy in *Griswold v. Connecticut*. Writing for the Court, Justice William O. Douglas found this right in what he called the "penumbras" of the Bill of Rights that are "formed by emanations from those guarantees that help give them life and substance." A cynic—perhaps even a noncynic—might wonder what all that means. In any event, *Griswold* struck down a Connecticut statute that criminalized the use of birth control devices or the dissemination of information or instruction on their use.

Justice Douglas was motivated to protect what he said was the "privacy surrounding the marriage relationship." Ironically, his efforts in this regard were rendered unnecessary by the Burger Court. In 1972, in *Eisenstadt v. Baird,* the Court relied on the equal protection clause of the 14th Amendment to invalidate a Massachusetts law making it a felony to give anyone other than a married person contraceptive medicines or devices. *Eisenstadt* made the right to privacy inhere not in the marital relationship but in the individual person. It was but a short step—and one year—from *Eisenstadt* to the controversial *Roe v. Wade,* in which the Burger Court held that the right to privacy encompasses and protects a woman's decision to have an abortion.

The abortion decision vacated the laws of all 50 states, nationalizing the Court's view of a moral issue that previously had been left to the people of each state to decide. The Court's view was not simple: It specified in each trimester what a state may or may not do in regulating abortion. Inevitably, *Roe v. Wade* has provoked litigation. The Court has had to decide more than a dozen cases involving questions of a kind typically handled by a legislature, not a court. In these subsequent cases, the Burger Court has, for example, held unconstitutional a statute requiring a husband's consent before his wife could secure an abortion (*Planned Parenthood of Central Missouri v. Danforth,* 1976) and has ruled that parents may not exercise an absolute veto over abortions for unmarried daughters under 18 (*Bellotti v. Baird,* 1979).

The difficulty of discovering a right to privacy in the Constitution is perhaps best illustrated by the fact that justices believing in this "fundamental right" rely for its protection on different parts of the Constitution. Justice Douglas, writing for the Court in *Griswold,* relied on the language of the First, Third, Fourth, Fifth, and Ninth Amendments. Justice Arthur Goldberg, concurring in *Griswold,* relied only on the Ninth Amendment. Justice Harlan, also concurring in *Griswold,* and Justice Harry Blackmun, who wrote the Court's opinion in *Roe v. Wade,* relied on the due process clause of the 14th Amendment. And Justice William Brennan, writing the

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Court's opinion in *Eisenstadt,* relied on the equal protection clause of the 14th Amendment.

What seems to matter to the Court—whether the Warren Court or the Burger Court—is less where protection for such a right is found in the Constitution than that it exists as a so-called fundamental right. Having such status, it must have constitutional protection (usually found in the equal protection clause). Accordingly, any state burdens placed on the exercise of a "fundamental right" can be justified only by a showing of a compelling interest that cannot be achieved by any other means—a difficult test indeed. Plainly, the problem with this activist exercise of judicial review is that the Court inevitably engages in a form of policy making reserved by the terms of the Constitution for the representatives of the people. This traditional understanding of government was implicit in Justice Harlan's dissent in a 1969 case proclaiming another fundamental right—the right to travel from state to state. If the Court were "to pick out particular human activities, characterize them as 'fundamental,' and give them added protection under an unusually stringent equal protection test," wrote Harlan, then it would soon become a "super-legislature."

To its credit, the Burger Court has rejected the notion of a fundamental right to welfare (*Dandrige v. Williams,* 1970) and to "decent housing" and "possession of one's home" (*Lindsey v. Normet,* 1972). The Court has also refused to accept the proposition that education is a fundamental right (*San Antonio Independent School District v. Rodriguez,* 1973).

Nonetheless, the Burger Court's declaration that the abortion liberty is a fundamental right is monument enough to judicial activism. It bulks at least as large in this respect as *Miranda,* perhaps the most activist decision of the Warren era. And meanwhile the Burger Court has embarked upon other avenues of judicial activism.

Judicial activism occurs not just when the Court asserts the existence of a fundamental right that cannot be found in the Constitution and then strikes down actions that burden its exercise. Plainly, there are other ways of bringing the Constitution—the justices' Constitution, that is—to bear upon legislative or executive actions the Court does not approve.

One of the most frequently used methods today is to invoke the equal protection clause of the 14th Amendment. Obviously, it is no longer what Justice Oliver Wendell Holmes once called it—"the usual last resort of constitutional arguments."

Consistent with the intentions of the framers of the 14th Amendment, the equal protection clause requires that the judiciary examine with hostility only those legislative and executive classifications made on the basis of race. Race has become, in the jargon of the Court, a "suspect" classification. But in recent years the Court has also used the equal protection clause to strike down classifications on the new—and constitutionally unwarranted—bases of alienage, illegitimacy, and sex.

Alienage became a suspect classification at a state level in 1971 when in *Graham v. Richardson* the Court struck down a state law restricting aliens' access to welfare benefits. Illegitimacy, which first received heightened judicial scrutiny during the Warren era in *Levy v. Louisiana,* has remained a classification meriting the Burger Court's careful review (*Weber v. Aetna Casualty & Surety Company,* 1972, and *Trimble v. Gordon,* 1977). And the Burger Court has also decided that gender-based classifications merit a standard of scrutiny under the equal protection clause only somewhat less demanding than that for race. If not a suspect classification, gender is now at least semisuspect.

In the seminal case *Reed v. Reed* (1971)—a unanimous opinion written by Chief Justice Burger—the Court struck down a provision of Idaho's probate code giving preference to men over women as administrators of estates. Such a provision, said the Chief Justice, does not bear "a rational relationship to a state objective" and hence is "the very kind of arbitrary legislative choice" forbidden by the equal protection clause. Two years later, in *Frontiero v. Richardson,* the Court came within a vote of saying that classifications based on gender are, like those based on race, "inherently suspect." Such a decision would, in effect, have added the legal standard implied by the Equal Rights Amendment to the Constitution, thus rendering unnecessary ratification of the ERA, which had only recently been submitted to the states.

The Court's activism is not only proscriptive, saying no to actions taken by others. It is also often prescriptive, specifying actions they should take.

Another form of the Burger Court's activism has been its insistence that rights created by state legislatures are limited by the constitutional strictures of procedural due process. A state creating a property interest in government employment thus has been constitutionally forbidden to authorize an employee's discharge without notice or hearing (*Perry v. Sinderman,* 1972). And a state creating a property right in education may not suspend a student for misbehavior without following certain procedures to determine whether suspension is justified (*Goss v. Lopez,* 1975). The Burger Court's interest in procedural due process has not been accompanied by a satisfactory explanation of what the Constitution requires. This is not surprising, since it is hardly clear that procedural due process can be constitutionally associated with state property rights. The practical difficulty of these decisions is that they tend to reduce the area of compromise that must be available if a legislature is to have any serious hope of effectively balancing interests when creating a particular property right. In the context of public school education, the procedural due process requirements tend to limit the capacity of school officials to maintain the order conducive to effective education.

Judicial activism can occur not only when legislative or

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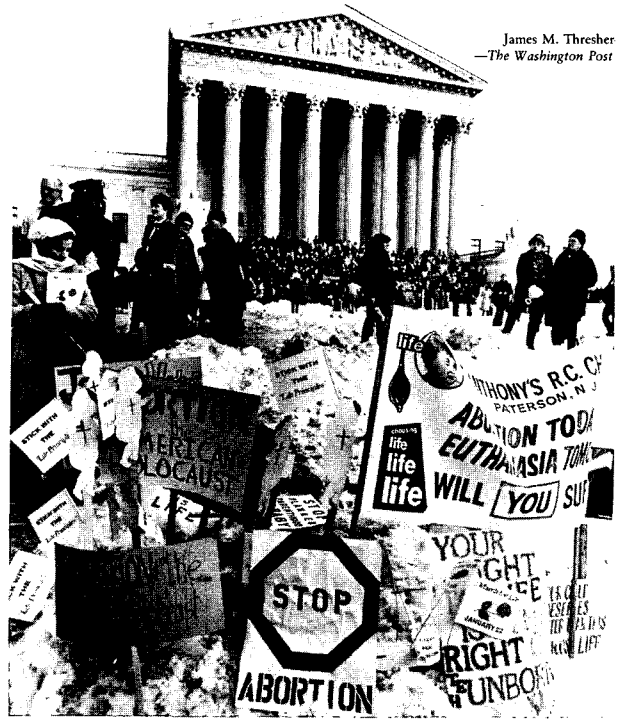
executive actions are reviewed for their constitutionality. The Burger Court also has used its power of statutory construction to substitute its policy choices for those of a legislature. Three decisions concerning the Civil Rights Act of 1964 are in point. In *Griggs v. Duke Power* (1971), a unanimous opinion written by the Chief Justice went against the legislative history of the Civil Rights Act to require the elimination of tests and diplomas as job requirements if they disqualify prospective black employees at a higher rate than whites unless the employer can show that the test or diploma bears a "demonstrable relationship" to successful job performance. In *Lau v. Nichols* (1974), an again unanimous Court read the 1964 act to require the San Francisco school system to take some action to correct the language deficiencies of some 1,800 Chinese-American students who did not speak English, even though the terms of the Civil Rights Act do little to substantiate this interpretation. Then, in *Steelworkers v. Weber* (1979), the Court went against the language and legislative history of the Civil Rights Act—indeed it is fair to say it rewrote both—to justify racial quotas in private employment by a vote of 5 to 2.



James M. Thresher
—*The Washington Post*

Roe v. Wade **vacated the laws of all 50 states, nationalizing the Court's view of an issue that previously had been left to the people of each state to decide.**

The relevant part of the legislation provides that the language of the act is not to be interpreted to "require any employer . . . to grant preferential treatment to any individual or to any group because of the race . . . of such individuals or group" in order to correct a racial imbalance in the employer's work force. Writing in dissent, Chief Justice Burger correctly commented that "under the guise of statutory construction, the Court effectively rewrites Title VII to achieve what it regards as a desirable result. It 'amends' the statute to do precisely what both its sponsors and its opponents agreed the statute was not intended to do."

No discussion of the Burger Court's misuse of its power of statutory construction can leave out mention of the Court's creation of private rights of action. For example, in *Cannon v. University of Chicago* (1977), the Burger Court held that private individuals may bring lawsuits in federal court to enforce Title XI's ban on sex discrimination. Title XI, however, does not authorize suits by private parties, and it explicitly provides for enforcement of the ban through a cutoff of federal funding. Similarly, in *Merrill Lynch, Pierce, Fenner & Smith v. Curran,* the Court read into the law what plainly is not there when it announced a private right of action to enforce the Commodities Futures Trading Act.

Decisions of this kind not only mistakenly open the gates of the courts to private parties; they also provide the federal judiciary opportunities to make decisions that legislatively have been left to the enforcement agencies of the executive branch. Private parties with their own narrow focus thus can appear before judges in an attempt to fashion public policies that will of necessity operate generally on all of us.

So far I have discussed instances in which the Court, through its powers of judicial review and statutory construction, has without warrant imposed its views on the states and the elective branches of the federal government. The Burger Court has imposed itself conspicuously enough in these respects; but there are still other ways in which it has illegitimately extended the reach of the judiciary and encouraged recourse to courts of law.

Critical to the traditional understanding of the limited role of the judiciary in a system of separated powers are such doctrines of jurisprudence as standing and political question. The standing doctrine acts as a brake against lawsuits brought by parties who have not demonstrated the existence of a controversy in which they have personally suffered or are about to suffer injury. The political question doctrine restrains the courts from deciding issues that properly should be left to the other branches of government or to the states.

The Warren Court all but eviscerated these doctrines. The Burger Court has made some effort to revive the standing doctrine (the most notable recent case is *Americans United for Separation of Church and State v. Valley Forge Community College,* 1982), but it has not enjoyed significant success. Indeed, its actions in this area, coupled with its creation of private rights of action and its interpretations of civil rights law, have tended to encourage more lawsuits—and more lawmaking by jurists.

In regard to the political question doctrine, four members of the Burger Court (Justices Rehnquist, Stewart, and Stevens and Chief Justice Burger) did use it to dismiss a challenge to presidential action (*Goldwater v. Carter,* 1979). But in general the doctrine has been woefully underemployed. If the Court has rejected the idea that the political question doctrine is moribund, it has done little to give it life.

This, then, is the nature of the Burger Court as it passes its 15th term. There are occasions—some I have mentioned—on which the Court has in fact rendered opin-

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ions that give hope for the future. On the other hand, there are activist decisions that I have not mentioned. My point is not that the Burger Court has been the most activist ever, or that it has been more activist than its predecessor, but rather that the Burger Court represents less a break from than a continuation of the unprecedently activist trends begun under Earl Warren.

This activism is not only proscriptive, in the sense that without warrant the Court says no to actions taken by others. It is also often prescriptive, in the sense that it specifies actions they should take. The Court's activism is exhibited in a field of action substantially larger than ever before. As a result, there has been more overlap between the Court and other branches and levels of government in formulating and carrying out public policy.

It is ironic that the Burger Court has carried the torch of this activism. For more than half its tenure it has been composed of a majority of justices named by the last three Republican presidents. President Nixon set the distinctly nonactivist standard for the six justices whom he, President Ford, and President Reagan named when he said, in 1969, that he was looking for jurists committed to judicial restraint—individuals like Felix Frankfurter. Such jurists, said Mr. Nixon, would be "very conservative in overthrowing a law passed by the elected representatives of the people at a state or federal level."

Why has the Burger Court failed to make the shift that conservatives expected? One reason may be the doctrine of *stare decisis*. Literally, "let the decision stand," the term means that a point settled in a previous case is a precedent that should be followed wherever applicable. Arguably, some of the Republican additions to the Court, have knowingly let the wrong decisions stand, thus perpetuating the trends of our time.

But *stare decisis* cannot account for the new rights that the Burger Court has announced, the new uses to which it has put the equal protection and due process clauses of the 14th Amendment, or the ways it has effectively rewritten statutes and generally kept the courts open for the business of policy making. Was Anthony Lewis correct when he wrote that "we are all activists now"?

The old debate between those of the judicial restraint school and the partisans of judicial activism has come to a halt in most law schools. The theory "that judges can draw their rulings from outside the document" is "on the brink" of achieving "entire intellectual hegemony in the law schools," as Robert Bork, formerly a professor of law at Yale and now a federal appellate judge, has recently written. Students today are taught that the courts make policy, and the critical issue is which policies.

The framers of the Constitution had a different and, I think, better idea. Though they did not include the power of judicial review—the Court's most important power—in the Constitution, they thought it would belong to the judiciary, and they thought it would be employed in an essentially negative manner. That is, the Court would say no to actions by the other two branches, or by the states, that trespassed constitutional boundaries. In Federalist 78, Alexander Hamilton wrote: "The courts must declare the sense of the law; and if they should be disposed to exercise WILL instead of JUDGMENT, the consequence would . . . be the substitution of their pleasure to that of the legislative body." Substituting the pleasure of the judiciary to that of the legislature infringes in an immediate and obvious sense on the liberties of the people. And in the long run, as the judiciary increasingly behaves in this manner, it may find itself less able to fulfill its constitutionally assigned role of holding the people to their operating charter—a Constitution designed to secure their liberties. An activist judiciary may lead to a day when we have a Constitution without constitutionalism, when the land of the free is no longer free in fact. All of this the framers understood.

During much of its first century of existence, the Supreme Court more or less stayed within the confines of its role as the nay-saying keeper of constitutional lines. Toward the end of the 19th century, however, it began an activist journey that led to the great judicial debate during Franklin Roosevelt's presidency over whether the Court had strayed from its traditional role. Declared FDR in a 1937 broadcast address, "The Court has been acting not as a judicial body but as a policy-making body. . . . The Court . . . has improperly set up itself up as a third House of the Congress—a superlegislature . . . reading into the Constitution words and implications which are not there, and which were never intended to be there." The Court effectively repented from its activist ways, but only for a brief period. Under Earl Warren the Supreme Court began the current activist period.

An activist judiciary may lead to a day when we have a constitution without constitutionalism, when the land of the free is no longer free.

The Court's role as a policy-making body has increasingly come to be taken for granted. Contemporary legislation that includes judicial review provisions, thus inviting the courts to engage in policy making, must be regarded as something less than an exercise in self-government. Similarly, individuals who believe that the best way to achieve their political goals is to go to court are resisting the strenuous discipline of self-government, which asks the governed to govern themselves through the legislative process. Too many Americans seem not to want to hear that in our form of government we are supposed to be governed by legislative majorities. For them, government by judiciary is just fine. "So long as the judiciary remains truly distinct from both the legislature and the executive," wrote Alexander Hamilton, "the general liberty of the people can never be endangered from that quarter." Fifteen years after Warren Burger became Chief Justice, and 30 years after the Warren Court completed its first term, the judiciary is no longer distinct, and we may find our liberties in peril. ☎

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Beyond the Burger Court

Four Supreme Court Candidates Who Could Lead a Judicial Counterrevolution

Richard Vigilante

One of the most important issues at stake in the 1984 presidential election is the future of the Supreme Court. Five of the nine justices currently sitting—Harry Blackmun, William Brennan, Chief Justice Warren Burger, Thurgood Marshall, and Lewis Powell—are 75 or over, and not all are as healthy as Ronald Reagan. Whoever wins in November may well have the opportunity to appoint at least three and perhaps as many as five new justices. That President will therefore be able to determine the direction of the Supreme Court over the next 10 to 20 years.

Should Ronald Reagan or another conservative win the election, he will have an excellent opportunity to reverse the intellectual drift, the liberal interventionism, and the antireligious bias of the Warren and Burger courts. Opposition to "legal realism"—the belief that neutral interpretations of the Constitution are impossible and that judges must therefore impose a collage of sociological assertion and personal opinions on the Constitution—is more sophisticated than 20 years ago. An impressive battery of conservative legal minds in prominent law schools, on the federal circuit, and in state courts is preparing to challenge much of what the Court has wrought in the last 50 years.

A conservative victor in 1984's presidential election would have the chance to appoint one of the most intellectually powerful Supreme Courts in history. Should this happen, we could expect conservative judicial ideas to become suddenly fashionable in places where they are now ignored.

I recently asked prominent legal conservatives around the country what candidates they would recommend for the Supreme Court. They made clear that there are at least two dozen qualified conservatives whose appointments would raise the quality of the current Court.

What is needed, however, is not simply improvement but a judicial counterrevolution. And in conversations with conservative legal scholars and judges, four candidates keep coming up as having the intellectual stature and the fighting spirit to change the Court's direction despite the weight of judicial precedent. They are Robert Bork, Antonin Scalia, Richard Epstein, and William Bentley Ball.

John Marshall
Chief Justice of the Supreme Court, 1801–1835

Robert Bork

Judge Bork, now sitting on the U.S. Court of Appeals for the D.C. Circuit, the second most prestigious and powerful court in the country, former professor at the Yale law school, solicitor general under Presidents Nixon and Ford, has for so long been considered the obvious candidate for the next conservative appointment that he has been a "justice-in-waiting" for at least a decade. Liberal and conservative colleagues are united in recognition of his ability.

RICHARD VIGILANTE, *a Washington-based journalist, is executive producer of Victory Video.*

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Mr. Bork is widely regarded as the most prominent and intellectually powerful advocate of "judicial restraint." He has long criticized the judiciary for interfering in policy and political questions by redrawing them as constitutional or procedural issues. Unless rights that are found in the Constitution by standard means of interpretation are violated, he argues, the courts should defer on matters of policy to democratic majorities in the states and in the political branches of the federal government.

In determining how it is proper for courts to intervene, he is an "interpretivist." Judges, in his view, should interpret the Constitution as they would a statute or any other legal document—by focusing on the meaning of the text and the history of its writing, without bringing in their own policy preferences and personal values. Thus, for example, he has publicly criticized the Supreme Court's use of the right to privacy—a right to be found nowhere in the Constitution—as the basis for overturning state prohibitions on abortion in its 1973 decision *Roe v. Wade*.

Mr. Bork's judicial interpretivism would restore to legislatures and the people such questions as whether and how pornography should be restricted. It would provide a coherent basis for sustaining state laws on capital punishment. It would keep the Court from imposing one man, one vote in reapportionment cases. It would keep the courts from running school systems, prisons, and mental hospitals under the guise of enforcing civil rights. It would uphold state legislation regulating the sale of contraceptives to minors or requiring that parents be notified when a minor seeks an abortion.

Mr. Bork says he was a New Deal liberal when he entered the University of Chicago law school in 1948. But at Chicago he was heavily influenced by Aaron Director, founder of the "law and economics" school of jurisprudence, which analyzes legal principles in terms of their economic efficiency, and by free-market economist George Stigler.

Mr. Bork applied the principles of economic efficiency and cost-benefit analysis to antitrust law, first as a partner in the Chicago law firm of Kirkland & Ellis, which he entered after law school, and then on the faculty of Yale law school, which he joined in 1962. In his book, *The Antitrust Paradox*, published in 1978, he argued that many antitrust policies, including some court decisions, have often been contradictory: Though designed to protect the consumer and promote competition, these antitrust policies have in practice often hurt consumers and discouraged competition by protecting inefficient enterprises.

At Yale, Mr. Bork became a close friend and colleague of Alexander Bickel, a moderate "legal realist" and in his day the dominant intellectual force on the Yale law faculty. Mr. Bickel saw the judge as scholar-king who would interpret the Constitution in the light of the lasting values of Western civilization: "The function of the Justices . . . is to immerse themselves in the tradition of our society and of kindred societies that have gone before, in history and in the sediment of history which is law, and . . . in the thought and the vision of the philosophers and the poets.

Robert Bork

The Justices will then be fit to extract 'fundamental presuppositions' from their deepest selves, but in fact from the evolving morality of our tradition." While greatly admiring Mr. Bickel, Mr. Bork learned from him mostly by disagreeing. "The choice [by the Court] of fundamental values cannot be justified," Mr. Bork argued. "Where constitutional materials do not clearly specify the value to be preferred, there is no principled way [for the Court] to prefer any claimed human value to any other."

Mr. Bork set forth the essence of his judicial philosophy in "Neutral Principles and Some First Amendment Problems," a now-classic article published in 1971. Always aggressive intellectually, he picked the most controversial possible ground on which to make his argument that judges should not impose their personal values on the Constitution: He argued that the freedom of speech provision of the First Amendment protects only "explicitly political speech." And he challenged the nearly sacrosanct writings of Justices Brandeis and Holmes that have been used to defend this century's expanded First Amendment protections. The Brandeis-Holmes arguments, Mr. Bork contended, weren't constitutional arguments at all but simply paeans to the worth of free discourse.

Mr. Bork could hardly have written anything better

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calculated to infuriate the liberal judicial community. The article is still controversial today. Just recently, a headline in the American Bar Association *Journal,* summarizing an article in *The Nation,* compared Mr. Bork to Attila the Hun. He has been accused of being against free speech. He is not. And today he admits that the First Amendment covers a broader ground than "explicitly political" speech.

Some conservatives, too, have been worried by Mr. Bork's relentless disapproval of courts that make value judgments. He is sometimes accused of moral skepticism or relativism.

But Mr. Bork is entirely innocent of the charge. He is not a moral skeptic; instead, he has a strong faith in the moral sense of the electorate. What he forbids to courts, he endorses in legislatures because it is the job of the elected representatives "to make value choices . . . these are matters of morality, of judgment, of prudence. They belong, therefore, to the political community." And as for freedom of speech not protected by the First Amendment, it rests, "as does freedom for other valuable forms of behavior, upon the enlightenment of society and its elected representatives."

Judicial activists would argue that Mr. Bork's "judicial restraint" would minimize constitutional protections. It would be more accurate to say that judicial restraint expands the number of questions open to discussion by citizens and their legislatures.

As Mr. Bork said in a recent address, judicial activism causes the "area of judicial power [to] continually grow and the area of democratic choice [to] continually contract . . . Activism . . . is said to be the means by which courts add to our constitutional freedom and never subtract from it. That is wrong. Among our constitutional freedoms or rights . . . is the power to govern ourselves democratically . . . G. K. Chesterton might have been addressing this very controversy when he wrote: 'What is the good of telling a community it has every liberty except the liberty to make laws? The liberty to make laws is what constitutes a free people.' "

Mr. Bork left Yale temporarily in 1973 to become solicitor general of the United States. In this role he is best remembered as the man who, at Richard Nixon's order, fired Watergate Special Prosecutor Archibald Cox after Attorney General Elliot Richardson and Deputy Attorney General William Ruckelshaus resigned rather than do so. Even today it is rare for Mr. Bork to be mentioned in a newspaper story without being linked to the Cox firing.

It is a credit to Judge Bork's reputation for integrity and the respect he has among his peers that his perfectly correct explanation for his decision—Mr. Nixon had every legal right to fire Mr. Cox, and government could not function if legal orders were not carried out—has been widely accepted. Watergate came up at his confirmation hearings for his appointment to the D.C. Circuit in 1982 but provided little difficulty.

Judge Bork's reputation, his writing and public statements, and even his speaking style suggest that he would be an aggressive justice. He is intellectually aggressive—an imposing man to speak with. As a writer his inclination is toward sharpening rather than blunting points of possible disagreement. He would presumably be willing to reverse bad precedents.

Nevertheless, his brief career on the D.C. Circuit so far has been relatively quiet. From July 1982, when he wrote his first opinion, through March 1984 he had written about 30 majority opinions, somewhat fewer than might be expected. He dissents fairly often, but few of the cases have been controversial.

Judge Bork is 56. His first wife died in 1980 after an illness that lasted many years. He remarried in 1982. He has three children.

Antonin Scalia

Along with Mr. Bork, the most respected advocate of judicial restraint interpretivism is Judge Antonin Scalia, also of the D.C. Circuit and recently of the University of Chicago law school.

If Mr. Bork's emphasis is on democracy, Mr. Scalia's is on separation of powers. He would bring to the Court an acute sensitivity to the role of institutions and procedures in the preservation of liberty.

As Mr. Scalia would explain, the separation of powers is vital to the preservation of liberty because the different branches are suited to protecting different sorts of rights. The courts, in which there is no voting, no marshaling of forces, just one litigant against another, are uniquely well designed to protect the rights even of one man against the entire state. During that one man's day in court the entire power of the state will be focused on the resolution of his problem, the vindication of his rights. That solitary man with just one vote and no friends would get little help from a legislature.

For exactly the same reason, courts are no good at

Antonin Scalia

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providing for the needs of majorities—organizing society, spending money, getting things done. The state's budget is determined not by disputing the rights of individuals but by resolving the differences of overlapping interest groups.

Let this scheme of not only separation but also specialization of powers break down and both sorts of decisions—those about individual rights and those about majority needs—will become increasingly arbitrary and government will become increasingly cruel.

Mr. Scalia's experience has been largely in administrative law, the rules that govern regulatory agencies. Graduating from Harvard law school in 1960, he joined a prestigious Cleveland law firm, taught at the University of Virginia law school, and in 1971 entered government, "just to see how the big monster works."

He had every opportunity to find out because he chose some of the most monstrous parts, laboring mostly in jobs where the issues involved were at best even more complex than they were dry. From 1971 through 1977 he was successively general counsel to the President's Office of Telecommunications Policy, chairman of the Administrative Conference of the United States, and assistant attorney general for the Office of Legal Counsel. He started teaching at the University of Chicago in 1977 but continued to dabble in government, serving as a consultant to the Federal Communications Commission and the Federal Trade Commission.

From 1977 until his appointment to the D.C. Circuit in mid-1982, he also served as editor of the American Enterprise Institute's scholarly but sprightly *Regulation* magazine. His editorials were marked not only by a coherence that made their subject matter accessible to any layman but also by a sharp sense of humor that was all the more welcome for being completely unexpected in a magazine that chronicled the doings of bureaucrats.

In a recent law review article, "The Doctrine of Standing as an Element of the Separation of Powers," Mr. Scalia drew on his vast experience in administrative law to give a full-bodied expression of his constitutional ideas. He argued that one of the primary purposes of the traditional rule of standing—which forbids lawsuits that do not allege a concrete injury—is to prevent courts from becoming legislatures of last resort.

Recently, however, courts have allowed increasingly broad interpretations of standing, consequently increasing their own "legislative authority." Mr. Scalia focused on one recent case under the liberalized doctrine of standing, the S.C.R.A.P. case, in which a group of Georgetown law students sued to stop the Interstate Commerce Commission (an administrative agency) from granting an increase in rail freight rates. They claimed standing on the basis of a dubious economic analysis purporting to show that higher freight rates would cause a drop in the use of recyclable goods and a correspondent increase in litter and pollution.

Stressing his separation of powers theme, Mr. Scalia argued that the Georgetown students' desire for less pollution was not an individual legal right of the sort the courts enforce but an interest shared by a majority of society. Similarly, a majority of society, including many of the same people, shares an interest in good railroads and thus perhaps in approving the rate increase. The conflicting interests of the majority are supposed to be balanced in the political process by the political branches.

Courts exist not to balance *majority* interests but to defend a short list of unassailable *minority* rights. By intervening in the students' behalf, the courts would be elevating one particular interest to the status of a right and making it uncontestable in the political process.

When that happens, Mr. Scalia says, almost inevitably the interests thus elevated are those the judges find worthy. "Where the courts do enforce . . . adherence to legislative policies that the political process itself would not enforce, they are likely . . . to be enforcing the prejudices of their own class. Their greatest success in such an enterprise—ensuring strict enforcement of the environmental laws . . . met with approval in the classrooms of Cambridge and New Haven, but not, I think, in the factories of Detroit and in the mines of West Virginia."

Everything about Mr. Scalia's first year and a half on the bench indicates that he would be not only a conservative justice but also an influential one.

Circuit court decisions are initially issued by three-judge panels, though they sometimes are reversed by the entire court voting *en banc*. No majority opinion filed by Mr. Scalia has ever been reversed *en banc*. But of the nine cases in which Mr. Scalia had written dissents as of December 1983, four had been accepted by the Supreme Court for review. That is an impressive record. One of those dissents was to the Community for Creative Non-Violence case, in which the D.C. Circuit decided that sleeping in a federal park was a form of speech and thus protected by the First Amendment.

Mr. Scalia is also one of the best writers on the federal bench, and history shows that a well-written opinion can have far more influence even than it deserves. In one recent case Mr. Scalia, responding to a colleague's vague references to the tradition of respect for individual rights, wrote: "But that tradition has not come to us from La Mancha, and does not impel us to right the unrightable wrong by thrusting the sharpest of our judicial lances heedlessly and in perilous directions." That sort of remark is calculated perfectly to embarrass and intimidate generations of judicial Don Quixotes.

Judge Scalia is 47. He and his wife have nine children, which may or may not be the reason his first involvement in politics was in a fight for tuition tax credits. He is a principled critic of racial goals and quotas on both constitutional and political grounds.

A Catholic, he is personally opposed to abortion. He would be the first Italian-American ever appointed to the Court.

Richard Epstein

"Judicial restraint" does have its conservative critics. Some conservative legal scholars think that there is a sound constitutional basis to overturn much restrictive economic regulation on the ground that economic liberties are entitled to protection similar to that afforded to freedom of speech and religion.

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Richard Epstein

Perhaps the most impressive of these is Richard Epstein of the University of Chicago. Mr. Epstein is a brilliant young legal philosopher who would bring to the Court constitutional arguments for overruling many liberal restrictions on economic freedom, for restoring a concept of genuine justice to those areas of the law where justice has been supplanted by redistributionism, and for systematically defending individual rights as conservatives tend to understand them, including the rights of unborn children.

His appointment to the Court would accomplish a great deal precisely because he represents a different strand of conservative legal theory, a minority within a minority. Like the judicial restraint conservatives, he is an interpretivist who has a great deal of respect for the Constitution and believes in a close interpretation of it. He does not want to impose his own moderately libertarian views as an act of raw judicial power.

But he believes that the Constitution provides more direct guidance than judicial restraint conservatives. He is critical that economic regulation and other intrusions on individual rights get a free ride in the courts because liberal judicial realists like such legislation and conservative judicial restraint types don't have the heart to strike it down.

The key to Mr. Epstein is that he is a philosopher as much as a lawyer. As an undergraduate at Columbia, he was particularly influenced by the philosopher Ernest Nagel, whom he describes as a "tough, no-nonsense man." Professor Nagel believed that a philosopher's role was not to heap ridicule on common-sense beliefs but to find compelling philosophical arguments for ordinary beliefs and intuitions. That is an approach Mr. Epstein carries over into his legal scholarship. Thus, Mr. Epstein is comfortable with the ordinary meaning of justice—allowing each person to retain what is rightfully his. He rejects, as most ordinary people would, the equation by many modern legal theorists of justice with the equality of wealth or social status.

Though he considered becoming an academic philosopher, Mr. Epstein decided "the way to do philosophy was to go to law school, where a philosopher could depend on a constant infusion of new issues" on which to work. He studied law first at Oxford and then at Yale. He started teaching law at the University of Southern California in 1968 but in 1972 moved to the University of Chicago. Since 1981 he has been editor of the *Journal of Legal Studies*, which specializes in historical analysis of the common law as well as the descriptive and normative implications of modern economic theory.

His philosophical inclinations cause him to paint with a broader brush than the judicial restraint conservatives. The key to his approach is his belief in respecting "the theory of governance that inspired [the Constitution]."

Despite differences of detail among the Founders, that theory of governance, he would argue, rests comfortably on classical 18th-century liberalism. It thus has a great deal in common with the moderate libertarianism shared by most conservatives today.

The Founders were about the business of creating a commercial republic. As Mr. Epstein writes, they "came to the [constitutional] convention with a powerful presumption that trade and commerce was a social good, best fostered by institutions that restrained the use of force and stood behind private contractual arrangements."

Thus, much of Mr. Epstein's work is devoted to reinvigorating two mostly moribund clauses of the Constitution: the contracts clause—"no state shall . . . pass any . . . law impairing the obligation of contracts"; and the just compensation clause—"nor shall private property be taken for public use, without just compensation." These he reads as part of the Founders' attempt to guard the republic against the dangers of faction by limiting the power of government.

Mr. Epstein argues that a prime reason the Founders endorsed the principle of limited government was their fear that a too-powerful government might tempt factions to use the government to deprive men of their liberty and property. Give legislators too much power over property not their own and they may seek to dispose of "property of minority interests for personal gain," including reelection.

We see this evil in the present plague of interest-group politics, he maintains. Because we have given the government too much power over private property, we are encountering precisely the evils of faction that the Founders, in the *Federalist Papers,* argued the new Constitution

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was designed to avoid. He argues that within close limits—and Mr. Epstein is a cautious analyst—the Court would be justified in reversing that trend and restoring the Founders' intent.

Citing the contracts and takings clauses, he has, for instance, broached the possibility that minimum wage laws and rent controls may be unconstitutional. Indeed, he thinks that the contracts clause places extensive limitation on the state power to restrict commercial agreements between consenting adults. He also believes that the government is limited in its ability to use the power of eminent domain to aid private business interests.

Mr. Epstein's full-bodied philosophical approach to the Constitution shows up in social issues as well. *Roe v. Wade* has been widely criticized, and Mr. Epstein joins in the criticism. But where much interpretivist scholarship has been devoted to debunking Justice Blackmun's assertion of a constitutional right to privacy, Mr. Epstein's criticism goes directly to the impropriety of deciding the case without considering the legitimate claims of the unborn child.

Mr. Epstein is 40 years old. He is married and has two children. He is probably too young to be on the administration's "short list," and his unusual views may keep him from having the sponsorship he would need to get appointed.

Nevertheless, appointing Mr. Epstein would accomplish a great deal. He is a brilliant advocate of a conservative view of the Constitution that is useful, more than respectable, and largely ignored. An Epstein appointment would not only produce an excellent justice, it would also give Mr. Epstein's ideas the status that only power can confer—a very useful thing for a conservative administration to do.

William Bentley Ball

Another leading conservative legal figure wary of judicial restraint is William Bentley Ball. Mr. Ball has become famous arguing free-exercise-of-religion cases before the Supreme Court, including the landmark *Wisconsin v. Yoder*, in which he successfully defended the rights of a group of Amish parents to keep their children out of state-accredited school systems, and the Bob Jones University case, in which he unsuccessfully argued that the college had a right to retain its tax exemption despite a religiously inspired rule against interracial dating among students. Though he was a *pro bono* lawyer for civil rights groups during the 1960s, Mr. Ball defended Bob Jones because he believes that the free-exercise clause of the First Amendment requires tax exemptions for religious institutions.

Like Mr. Epstein, Mr. Ball would bring to the Court an aggressive willingness to defend individual rights as many conservatives tend to define them. He would provide a powerful voice against the Court's antireligious bias, particularly its reading of the establishment clause of the First Amendment. He would also bring to the Court long experience as a litigator. He describes himself as "primarily an advocate." Colleagues call him brilliant. And he has spent decades devising practical legal strategies for defending liberty.

Mr. Ball has, in some ways, had an odd career. He has argued before the Supreme Court seven times and has been counsel for appellee or appellant in 20 cases considered for review by the Court—a remarkable record. But he is a graduate of Case Western Reserve University who got his law degree from Notre Dame, not—at least not in 1948—the conventional route to becoming one of the most important constitutional lawyers in the country.

After leaving Notre Dame, he went to New York and joined the legal staff of W. R. Grace, the multimillion-dollar firm founded by one of Notre Dame's greatest patrons. It was a good job but, especially in New York, did not carry the prestige of a place in a major law firm, where great legal careers are made.

After another corporate job with Pfizer Inc. he taught constitutional law on Villanova's first law faculty. In 1968 he founded his own firm, Ball & Skelly, in Harrisburg, Pennsylvania.

Today the firm has a grand total of six attorneys. Yet it is one of the most important constitutional law firms in the country and has done more in recent years to defend religious liberty than any other firm in America.

Long before he became famous for his free-exercise cases, Mr. Ball was involved in civil rights litigation. In 1967 he entered a brief on behalf of 25 Catholic bishops in *Loving v. Virginia*, where the Court for the first time

William Bentley Ball

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struck down a state law against interracial marriage. He argued for the Court's eventual position, which denied "the constitutionality of measures which restrict the rights of citizens on account of race."

During the same period he served, typically *pro bono*, as counsel to the Pennsylvania Equal Rights Council, which was defending the civil rights of blacks. Of himself he says that he has always been primarily interested in "human rights and individual liberty."

There is no doubt that Mr. Ball is a conservative. "We are," he says, "drowning in government, greatly overtaxed and desperately in need of evenhanded justice to protect free citizens from unnecessary government intrusion."

He is critical of the Warren Court, saying that though "it did go to great lengths to protect some citizens, it would be nice if future Courts would consider the civil liberties even of those citizens who are not pornographers, subversives, or accused criminals."

But in that criticism there is some grudging respect. However erratic the Warren Court might have been, he will explain, willy-nilly it ended up finding ways to protect some rights that ought to have been protected. He is now deeply concerned that a new judicial conservatism will be narrow and niggardly where religious liberty is concerned. "Religious civil rights cases," he says, "must be treated with all the liberality accorded racial civil rights cases."

As in the 1960s, when he was arguing against racial discrimination, Mr. Ball is still wary of the judicial conservatives' tendency to defer to Congress or the states. In free-exercise cases the rights of religious schools often turn on the courts' attitude toward general state education statutes that do not specifically attack religious schools but dictate what they must do to meet educational standards.

This is a thorny area. All parties agree to the states' right to impose safety and health regulations and minimal curriculum standards—that is, required classes in English, math, and civics. But once that is admitted, can the states impose detailed and aggressive curriculum standards, licensing, and methodological standards?

Judicial restraint conservatives might overrule such detailed regulations, but they might not. Because of their justified wariness of turning political questions into constitutional ones, they would tend to ask whether the regulations were contrived to discriminate against religious schools, or whether they were impartially imposed on the entire state education system. In the latter case the judicial restraint conservatives *might* say that the regulations were legitimate exercises of the same authority by which the states impose mandatory education requirements.

Mr. Ball, on the other hand, and probably Mr. Epstein, would argue that detailed instructions to religious schools would be unconstitutional even if they were the same regulations imposed on state schools.

In voicing his fears about judicial restraint, Mr. Ball points to one of his recent cases, the Grace Brethren case, in which the Court refused to interfere with state imposition of unemployment taxes on nonchurch religious schools. The Court, with the concurrence of several relatively conservative justices, essentially decided to defer to the relevant state courts.

Mr. Ball is firmly antiabortion and was one of the attorneys for the 238 members of Congress who filed an *amicus* brief with the Supreme Court defending the Hyde Amendment's restriction against using Medicare funds to pay for abortions. One of his hopes for a new Court is that it would overrule *Roe v. Wade* as well as *Bob Jones*.

Mr. Ball is married and has one daughter. He is 67 years old, older than any other candidate recommended here. But he is a "daily five-miler" who, like President Reagan, does not look or act his age. He is extraordinarily well respected by his colleagues. His addition to the Court, like Mr. Epstein's, would significantly advance a conservative judicial point of view that is insufficiently noticed at present.

The appointments of Messrs. Bork and Scalia would do a great deal to persuade both the lower courts, and more importantly, the nation's prestige law schools, to take the Constitution more seriously. The more aggressive attitude of Messrs. Epstein and Ball would fill in some of the gaps left by the judicial restraint school and would quickly come to represent the point position in conservative jurisprudence. With Messrs. Epstein and Ball arguing for an aggressively conservative Court, judicial restraint suddenly becomes the moderate position.

Strategically, Messrs. Bork, Scalia, Epstein, and Ball would make a great combination. Add Justice Rehnquist's own powerful intellect and the five would together dominate one of the most distinguished Courts in American history.

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Four Million New Jobs

The American Employment Boom That Stunned the World

Grover Norquist

During 1983 the American people created 4 million new jobs. This was the largest one-year jump in employment in our nation's history, and it pushed total civilian employment to more than 102,800,000, an all-time high. Including members of the armed forces stationed in the United States brought the total number of working Americans at the end of 1983 to 104,491,000.

America in the throes of a supply-side recovery created more jobs in 1983 than Canada has created since 1965, four times as many jobs as the British economy generated between 1950 and 1982, and as many jobs as Japan created in the entire decade of the 1970s.

The record-breaking increase in employment did not occur in a vacuum. In a sharp repudiation of the Phillips curve—the theory that there exists an inverse relationship between employment and inflation—4 million Americans went to work in a year that saw inflation drop to 3.2 percent, the lowest annual increase in the consumer price index since 1967. The slowdown in inflation in 1983 continued the trend under the Reagan administration after back-to-back years of double-digit inflation: 13.5 percent in 1979 and 12.5 percent in 1980. And 1983's increase in the producer price index, the lowest since 1964, bodes well for continued progress against inflation in 1984 and beyond.

Vintage 1983

The 4 million new jobs pushed unemployment from 10.8 percent in December 1982 to 8.2 percent in December 1983. There was good news on other fronts, too. The index of leading indicators rose 11 out of 12 months, industrial production rose each month in 1983, and the stock market shot past the 1250 mark, bringing the number of Americans now investing directly in the market to more than 40 million. The gross national product rose 3.3 percent in real terms, and productivity jumped 5.1 percent. If the economic performance of calendar years were judged like fine wines, 1983 would be a vintage year indeed.

Despite the surfeit of good news, it is the phenomenal capacity of the 1983 economy to create new jobs that commands investigation, for the historic growth in the number of new working men and women will have profound effects on the politics of the 1984 elections and the economic policies of the rest of the century.

As the election draws near, the direction of the unemployment rate, up or down, is likely to be more important than the unemployment rate itself. For although an increasing unemployment rate threatens millions of employed Americans with the fear of being laid off, a declining unemployment rate gives legitimate hope to those without jobs that they may soon find employment.

Looking at the growth of jobs within industry groups, one first notices where the increased employment did not occur. The new jobs were not the product of expanded government employment at the federal, state, or local level. Total government employment rose by 37,000 in 1983 to a total of 15,795,000. This represents less than 1 percent of the 4 million new jobs created in the year. (And this modest gain followed a decrease of 9,000 federal employees in 1982 and a drop of 150,000 state and local workers in 1982.)

Private Sector Vigor

The story behind 1983's dramatic increase in job creation, then, is wholly one of increased employment, opportunity, and wealth creation in the private sector.

The growth in employment also testifies to the continued vitality of manufacturing in America. Surveys of business establishments show that manufacturing employment rose by 1.1 million in 1983 to more than 19.2 million; since these figures do not include *new* businesses, they understate the number of new manufacturing jobs.

Furthermore, this increase occurred across the board in manufacturing. There were more than 94,000 new jobs in lumber and wood products, 188,000 in electric and electronic equipment, 40,000 in furniture and fixtures, 69,000 in apparel and other textile products. Virtually the only manufacturers to register a drop in employment were the tobacco industry and the petroleum

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and coal products industry, which lost 11,300 and 6,700 jobs respectively.

Indeed, 1983 brought increased employment in just those industries the pundits were pronouncing ready for burial. The auto industry rebounded in 1983 with an increase in employment of 163,700, bringing employment to 848,100. The rubber and miscellaneous plastics industry gained 122,400 jobs and ended the year with a total employment of 765,500. Residential building construction rebounded from the 1982 recession with an increase in employment of 78,100 to 509,100 in December 1983. And blast furnaces and basic steel employment rose from 327,700 to 338,600.

Although manufacturing employment rose by 6 percent, and employment in the service industries increased by 2.4 percent, employment in farming, forestry, and fishing declined from 3.23 million to 3.092 million. The number of self-employed farmers dropped by 35,000, to 1,504,000 during 1983.

The contrast between increasing employment in manufacturing and decreasing employment in agriculture is particularly interesting given the recent assertion by Lester Thurow, an advocate of a national industrial policy for the manufacturing sector of the economy, that the government's agricultural policy should serve as a model for the economy as a whole.

Thus in 1983, when direct subsidies to agriculture in the form of farm price supports jumped 62.5 percent to a total of $18.8 billion and indirect subsidies, such as food stamps and other nutrition programs rose 14 percent to $17.3 billion, the total employment in agriculture actually fell.

Agriculture has received a great deal of attention from Washington over the years, and whatever other effects the federal government's policies have had on American agriculture, maintaining employment levels was not one of them. Employment in farming has dropped from 20 percent of total employment in 1930 to less than 3 percent today. Vastly increased subsidies in 1983 have seen this trend continue.

Delights of Deregulation

Employment in the airline industry rose by 5,900 during 1983 to a total of 448,100. When a diverse coalition consisting of such disparate elements as Ralph Nader, Senator Edward Kennedy, and conservative congressmen banded together in 1978 to deregulate the airline industry—over the objections of most airlines and airline employee unions—critics of deregulation predicted that the increased competition would result in massive layoffs and reduced employment. Instead, employment has actually increased as the industry has responded to competitive pressures by demonstrating wage restraint and a willingness to eliminate a great deal of featherbedding. More flexible work rules have allowed productivity to increase dramatically, enabling the industry to hire more people while dropping prices and increasing services.

Almost one tenth of all the jobs created in 1983 came from the ranks of the self-employed. During 1983, some 377,000 Americans went to work for themselves in nonagricultural, nonincorporated businesses. This increase follows a rise of 252,000 self-employed workers in 1982. Clearly, the American entrepreneurial drive is alive and well.

Job growth was highest in the Sun Belt. California led the nation with 449,000 new jobs in 1983, followed by Florida with 392,000 and Texas with 253,000.

But despite the claims of some that the recovery is bypassing the industrial Northeast—alternatively known as the Frost Belt or the Rust Bowl—the increase in employment was felt in all regions of the nation.

Michigan, heavily dependent on the auto industry, saw employment increase by 146,000 as unemployment fell dramatically from 17.3 percent to 11.9 percent. Ohio also posted a net increase of 186,000 new jobs, dropping unemployment from 14.1 percent to 10.5 percent. And Pennsylvania, with its dense concentration of steel plants and related heavy industries, posted a gain of 111,000 jobs.

1983 brought increased employment in just those industries the pundits were pronouncing ready for burial. Manufacturing employment rose by 1 million.

Shedding its name of "Taxachusetts," Massachusetts, which slashed its property taxes in 1980 after passage of Proposition 2½, had an increase in employment of 98,000, reducing its already low rate of unemployment from 7.1 percent to 5.8 percent.

The 4 million new jobs created in 1983 have already changed the economic policy pursued by the federal government and the policy prescriptions proposed by presidential candidates.

Democratic candidates for the presidency are strangely silent on the perennial issue of government programs to "make" new jobs. Indeed, the only make-work program enacted during the Reagan administration, the nickel-a-gallon gasoline tax to solve the recently discovered infrastructure crisis, has been sadly disappointing to the advocates of such programs. Supporters of the gasoline tax said it would create some 300,000 new jobs. Recent studies suggest it fell far short of this goal. The bill probably would not have passed at all if the administration and Congress had delayed enactment by a matter of weeks and realized that the recovery was already under way. (Why should Americans pay 5 cents extra for each gallon of gasoline to create as few as 50,000 jobs when economic growth created by lower tax rates can produce 4 million?)

But the increase in employment presents a more serious challenge to critics of the President's supply-side

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economic policies. It not only removes unemployment as a major liability, it also kicks out the underpinnings of the Democratic Left's alternative.

The creation of 4 million new jobs in one year repudiates the static view of the economy—the idea that the government must become the employer of last resort, or even first resort, because the private sector is unable or perversely unwilling to create new jobs. If the economic pie can expand that rapidly, it makes little sense to argue that first priority must go to redistributing existing jobs, wealth, or income.

If the economy can create 4 million new jobs in a year, it is no longer believable that your job comes at my expense or that his poverty is due to her prosperity.

The increase in employment presents a challenge to critics of the President's supply-side economic policies, kicking out the underpinnings of the Democratic Left's alternative.

The Reagan administration has demonstrated that by focusing on the creation of wealth, jobs, and income, rather than redistributing same, the pie can indeed grow larger for everyone. The very mechanisms of income and job redistribution, high marginal tax rates, government make-work programs, and economic regulation act as impediments to the economic growth that makes them irrelevant.

Chiming the Blues

The proposal for a national industrial policy was first put forward as a cure for high unemployment. Economic growth had undermined that argument by the first half of 1983. Undeterred, spokesmen like Lester Thurow, Robert Kuttner, and others have changed their line of argument.

Yes, employment is up dramatically, they concede, but by extrapolating from the recession of 1980 and 1982, they posit the disappearance of the manufacturing sector of the economy, which they identify as the backbone of the American middle class. Robert Kuttner writes that the new problem is an insufficient number of good jobs. "As the economy shifts from a production base to services . . ." Mr. Kuttner explains, "more jobs are being created at the extremes of the labor force and fewer in the middle."

Robert Reich chimes in with visions of a future in which "a growing portion of America's work force is . . . locked into deadend employment."

Mr. Kuttner's recent predictions appeared in an article in the Winter issue of *Dissent*. In the first paragraph of that piece we find his prediction that "unemployment is likely to remain close to 9 percent for the next decade." By midwinter unemployment had already dropped to 8 percent. The advocates of a national industrial policy will be forced to make many more such assumptions and ignore the reality of growth if they wish to prove the disintegration of the American middle class and the steep decline in our manufacturing sector.

A brief look at both job creation and personal income figures for 1983 puts the final nails in the coffin of the Kuttner-Reich theory that the American middle class is becoming an impoverished collection of dishwashers and fast-food workers earning the minimum wage.

An American economy exchanging middle-class manufacturing jobs for low-paying service sector jobs would expect to see average wages and per capita income falling and the number of manufacturing jobs in decline. Between December 1982 and December 1983, however, the average wage and benefit package of American workers rose by 5.7 percent. Real disposable income per capita rose by 4.2 percent—which is a respectable increase by itself but more remarkable when contrasted with the decline in real after-tax personal income during the high-tax, high-inflation decade of the 1970s. Manufacturing employment also rose by more than 1 million jobs, or 6 percent. Service sector employment rose by 2.4 percent in 1983. And finally, wages in manufacturing increased 3.6 percent for union workers and 4.7 percent for nonunion employees.

Labor's Waning Monopoly

There have, of course, been wage givebacks. Several airline unions accepted more flexible work rules and pay cuts of 10 to 15 percent. These reductions, however, came from an average airline salary of $39,000—a full 70 percent more than the average (and by definition middle-class) American income. Similarly, the 10 percent wage concession negotiated by the United Steel Workers in March 1983 did not exactly impoverish the average steelworker, who was still making $22 an hour in wages and benefits. After the concessions, the average steelworker is bringing home a wage package that works out to 83 percent above that of the average manufacturing worker.

What we are seeing is marginal wage restraint by those labor unions that are losing their monopoly bargaining positions either through the deregulation of the transportation industry or as a result of the increased competition of domestic and foreign producers. In the case of steel, the major producers have as much to fear from the highly efficient and nonunion "minimills" as they do from foreign producers.

The creation of 4 million new jobs in 1983 is unadulterated good news for the Reagan administration and the supply-side assertion that low taxes and low inflation can combine to create tremendous economic growth and opportunity.

It is also welcome news for the 4 million Americans who went to work last year and the millions of Americans who will join them at work in 1984 and beyond—if the low-tax strategy that triggered the recovery is continued.

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Jack Kemp at Liberty Baptist

"Let Us Learn to Be Tolerant of Sectarian Differences. But Let Us Never Forget the Moral Truth That Makes All Tolerance Possible."

Liberty Baptist College, founded by Jerry Falwell in 1971, is rapidly becoming the country's most important forum for serious discourse about politics and religion. Senator Edward M. Kennedy's speech on religious toleration, delivered at Liberty Baptist on October 3, 1983, was one of the finest of his career. What follow are excerpts from a speech by Congressman Jack Kemp (R.–New York), delivered on the Lynchburg, Virginia, campus on November 1, 1983.

—Ed.

G. K. Chesterton once described the attitude of all the great Christian heroes as "a paradox of great humility in the matter of their sins combined with great ferocity in the matter of their ideas." And I think this is the spirit we must have. We must dispel the delusion—whether it is held by ourselves or by others—that by talking about religious truth we set ourselves up as the standard for judging others. Only God can establish the standard, against which all of us fall short. But while we must strive toward it, our falling short must not prevent us from insisting on that standard—in the field of politics or anywhere else.

Last month Senator Edward Kennedy addressed you on the subject of tolerance and truth. Much of what he said is valuable, and I commend him for saying it. To defend the truth while defending the right of others to disagree is the very essence of what it means to be an American. The Founding Fathers were firmly convinced of John Locke's argument for religious tolerance: "The care of souls cannot belong to the civil magistrate," Locke wrote, "because his power consists only in outward force; but true and saving religion consists in the inward persuasion of the mind, without which nothing can be acceptable to God." This heritage transcends political divisions between liberals and conservatives.

But Senator Kennedy left the distinct impression that there is some kind of trade-off between religious truth and religious tolerance. He said, if I read him correctly, that there are even some areas of politics where religious values do not apply. But this is far from what the Founding Fathers intended. John Locke's argument for religious tolerance does not minimize differences about religious truth: The possibility of persuasion depends on them.

Leaving aside for a moment what "separation of church and state" means, it is clear what it cannot mean. It cannot mean that there is a separation of religious truth from politics, or that there can be a political part of our life that is sealed from the spiritual part of our life. Everything in the Jewish and Christian faiths, and the basic laws of the United States, rejects this idea. The law of Moses covers every aspect of life. And Jesus tells his disciples to be the salt, the yeast, and the light of the world. Does salt season only part of a broth? Does yeast leaven only part of the dough? Does light penetrate only part of the darkness?

Nowhere did Jesus make this more clear than when he spoke of "rendering unto Caesar." Jesus was asked whether it was lawful to pay tribute to Rome. His response was curious: He asked whose image was on the tribute coin. The lawyers answered, "Caesar's." Jesus replied, "Render therefore unto Caesar the things that are Caesar's, and unto God the things that are God's." What he did not have to spell out—because it was obvious to his audience—was that while Caesar's image is stamped on each coin, God's image is stamped on each child of God. Far from dividing life into a spiritual and a political realm, I think Jesus was saying that while civil government rightly claims a part of our life, God rightfully claims all of it.

When Christ was hauled before Pontius Pilate, Pilate said, "Don't you know that I have the authority to condemn you?" Jesus replied, "You have no authority except that which has been given you from above."

The laws of the United States are also based on the idea that the government has no authority except that which has been given from above—and delegated by the people. "The God who gave us life gave us liberty at the same time," wrote Thomas Jefferson. This is not some temporary intellectual fashion from 200 years ago. Only recently, in speaking of Poland's trade union Solidarity, the Pope said, "the right to free association" is "given by the creator who made man as a social being." The Declara-

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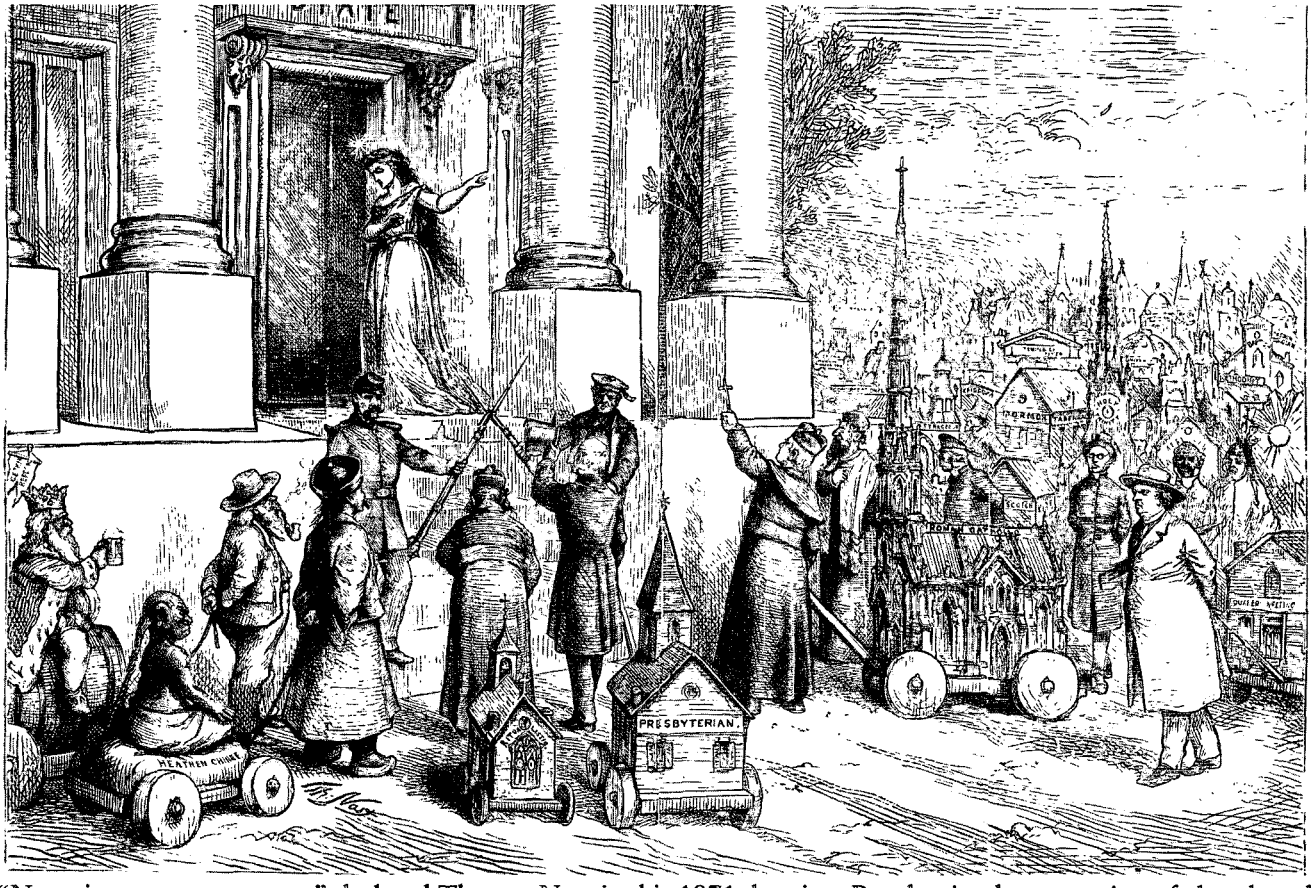

"No union upon any terms," declared Thomas Nast in this 1871 drawing. But despite the separation of church and state in America, Alexis de Tocqueville wrote that religion is the first of all political institutions here.

tion of Independence expands this idea into a philosophy of government: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the Pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed." These self-evident truths are the basis for all of our civil rights and human freedoms. If there is no Creator, or if we cannot recognize Him without violating the separation of church and state, then there is no ground on which to base the separation of church and state.

The First Amendment prohibits Congress from establishing any official religion and from interfering with freedom of worship. Thomas Jefferson once wrote that this erects a "wall of separation between church and state." But Justice William O. Douglas wrote that "the First Amendment does not say that in every way and in all respects there shall be a separation of church and state." In what way is there, and in what way is there not, such a separation?

The answer is clear from the very same sentence of Jefferson. He says the separation of church and state is based on the belief "that religion is a matter which lies solely between man and his God, that he owes account to none other for his faith or his worship, [and] that the legislative powers of government reach *actions only*, and not opinion." In other words, we have the right to absolute freedom of belief, and absolute freedom of worship, but not always the right to absolute freedom of action if it abuses the civil rights of others. For example, murder, theft, polygamy, and tax evasion are all against the Constitution and punishable by law, even if they are motivated by sincere religious belief. Why? Because the rights of others are guaranteed by the same self-evident truths that guarantee freedom of religion. In this sense, there can be an absolute separation of religion and politics only if there is also an absolute separation between faith and action. By the same token, the laws of our land do not violate the separation of church and state, even though they presuppose a Supreme Being and coincide with most of the Ten Commandments. Self-evident truths are not always evident to everyone. But this does not stop them from being true—or from being the basis of our laws.

But if we believe that these self-evident truths are universal—that they apply at all times and to all people—can we fail to apply them to ourselves? According to the Declaration of Independence, the fact that all men are created equal means not one but two things. All human beings have the same human rights; but all citizens also have an equal voice in government. This places an extra burden on those who think they know what is right—to do what is right *in the right way*. Unfortunately, decisions made by a proper democratic majority are not

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invariably right. But those who insist on their equal rights do not always respect the equal right of others to participate in the decision. This means, in a sense, that the founding of our government is never finished: Each generation must try to bring the democratic law of the land into line with the "Law of Nature and of Nature's God."

This is where we face the real test of our religious and political convictions. It is easy to be tolerant when we think the other person may be right; but tolerance is called for precisely when we are convinced that he is utterly wrong; and that given the force of law his wrong opinion may be causing great injustice and suffering to the innocent. Under these circumstances, the difficult process of mobilizing public opinion on the right side seems even longer than usual. It is frustrating to change unjust laws in a lawful way. But it is hard only because it is right. There are few greater tests of loving our neighbor than the working of democratic government.

The lesson for conservatives is that to be true to our religious beliefs, we must become politically more inclusive. A true commitment to the principles of American government means that the party in power must be the government of *all* the people—including the people who voted against it. The Declaration of Independence says that, to the degree the rights of the minority are not protected, the government cannot have any "just powers." This means that the principle of the Good Shepherd is as necessary in government as in daily life: If we are all to move ahead, we can't leave anyone behind.

Where our actions affect others, religion and politics not only may but must often intersect. But we have to recognize that this is very much a two-edged sword. In government, as in our personal lives, the power to make the right choice is also the power to make the wrong choice. This does not mean we can avoid choosing. But it does mean we must be as jealous of the rights of others as of our own.

Denying Human Rights

Senator Kennedy argued—and I agree with him—that there are some kinds of action, dealing with "uniquely personal parts of our lives," in which the government has no right to interfere. On such issues, he said, religion may only appeal to the individual conscience, not to the coercive power of the law. Unfortunately, he did not tell us how to draw this line; and to judge by the examples he gave, I think he has drawn the line wrongly. The examples he gave of "uniquely personal" issues were Prohibition and abortion. I think he may be right about Prohibition, because it involves the rights of only one person, but wrong about abortion, because the rights of two people are involved.

Only a few paragraphs later, Senator Kennedy reminded us that religion has been abused even to justify slavery. Yet he does not seem at all troubled that the argument used to justify abortion is the same argument used to justify slavery. The slave owners argued that the slaves were their property, guaranteed by the Constitution. Those who favor abortion say that the Constitution guarantees their liberty, which is the right to the property of their own bodies. But in both cases, the rights of another person are also involved; and those who favor abortion, like those who favored slavery, must deny that the other person is a human being.

Alexis de Tocqueville wrote that despite the separation of church and state in America, religion is the first of all political institutions here. What he meant was that our sharing the Judeo-Christian world view was the basis for the confidence of the minority in the decisions of the majority. But many of our political debates today result from the breaking down of this Judeo-Christian consensus. Many Americans no longer recognize the self-evident nature of the truths on which our country was founded. For them, the final authority of the law is no longer, as Francis Schaeffer puts it, "the infinite-personal God Who is there objectively whether we think He is there or not," and to whom "not everything is the same."

A school board may not remove a book from the school library that contains vulgar and offensive language, but the Supreme Court orders copies of the Ten Commandments removed from classrooms.

For those who do not believe in this higher law, the only basis for our human laws is expedience or the will of the majority. When this happens, the original intent of the Constitution can be shifted by 180 degrees. As I pointed out earlier, rather than talking about "separation of church and state," it is more accurate to say that the First Amendment prohibits discrimination on the basis of religion. The Constitution establishes freedom *for* religion, not from it. But the First Amendment has lately been interpreted in such a way as to deny the equal protection of the laws to those who believe in God.

Many of these issues involve our schools. For example, children are permitted to form a club on school grounds to study Marxism, but not a club on school grounds to study the Bible. Students are permitted to distribute counterculture newspapers at school, but the Gideon Society is prohibited from distributing free Bibles. A Massachusetts school board is prevented from removing a book from the school library that contains vulgar and offensive language, but the Supreme Court orders copies of the Ten Commandments removed from Kentucky classrooms. In that decision, the majority of the Supreme Court wrote, "If the posted copies of the Ten Commandments are to have any effect at all, it will be to induce the school children to read, meditate upon, perhaps to venerate and obey, the Commandments." Yet the same Ten Commandments hang in the U.S. Supreme Court, apparently without ill effect.

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Senator Kennedy seemed to say that to oppose such court decisions means that those who believe in God are trying to "impose their will" on others. I disagree. I think these are clear cases of equal protection of the law being denied on the basis of religious belief.

Silence Proscribed

A court in New Jersey has ruled that children may not even observe a minute of silence at the beginning of the school day. Not just freedom of speech, but freedom of silence, is now suspect. This reminds me of the fussy parent who suddenly thinks it's too quiet and shouts, "Hey, you kids: Whatever you're doing, cut it out!"

It is instructive to see how Jefferson himself dealt with the problem of religious nondiscrimination in public schools. When he founded the public University of Virginia, Jefferson established no school of theology, but he invited all religious sects who so desired to establish their own schools of religious instruction on campus, and offered free use of the campus facilities to their students. And he published regulations that said, "the students of the University will be *free and expected* to attend religious worship at the establishments of their respected sects, in the morning, and in time to meet their school in the University at the stated hour." Yet Jefferson's name is misappropriated to oppose exactly such nondiscriminatory measures today.

What about those issues about which Senator Kennedy feels religion has nothing to say? "I respectfully suggest that God has taken no position on the Department of Education," he told you, "and that a balanced-budget constitutional amendment is a matter for economic analysis, not heavenly appeals. Religious values cannot be excluded from every public issue—but not every public issue involves religious values."

This is too neat, because it begs the question. Do Christians and Jews in public life face exactly the same choices as other citizens—or do they have a larger task? I think they have a larger task. We must be cautious in claiming that God is on our side; but we must never stop asking ourselves whether we are on God's side. The faithful must master their field of politics or economics or law or business or education. But in addition, they must suffuse those views with a Christian or Jewish perspective. No field of human endeavor can be unaffected by the knowledge that God is there, and that not all is the same to Him; that there is right and wrong.

Like Senator Kennedy, I oppose the balanced-budget constitutional amendment on its merits because I don't believe a useful and workable amendment can be devised. But I deny the notion that prudent fiscal policy and sound money have nothing to do with right and wrong. Honest money is above all a matter of simple justice—justice between buyers and sellers, between borrowers and lenders, among the past, the present, and the future. When the government's policies cause money to fluctuate wildly against the things money can buy, it is not just a "matter for economic analysis." It is a gross injustice that cries out for correction.

But of course, Senator Kennedy himself does not believe that fiscal policy has nothing to do with right and wrong. What is the "fairness issue" if not a statement about the morality of federal fiscal policy? And I think it is a legitimate topic of debate. But to President Reagan, fairness means equal opportunity to compete on the basis of merit, and equal protection of the laws; while to Senator Kennedy it means unequal treatment of individuals in an attempt to achieve equality of result. And the argument is not *whether*, but *how*, to feed the hungry. Senator Kennedy seems to think we measure compassion by the size of the federal budget. But the medieval Jewish philosopher Maimonides said, "Anticipate charity by preventing poverty . . . This is the highest step and the summit of charity's golden ladder." A central feature of any debate over fairness must be the role of economic growth in public policy. I believe economic growth must come first, not because it is inherently more important than other personal and social goals, but because without growth, our progress as a nation can be achieved only by impoverishing something or someone else.

Applying Truth

In fact, I find it hard to think of a political issue that does *not* involve the choice between right and wrong in some way—not even foreign policy, which is supposed to be the realm of *realpolitik*. I think few things are more dangerous to world peace and the advancement of democratic government than the kind of "moral relativism" in foreign policy that replaces the truth that all men are created equal with the notion that *all governments are created equal*. This doctrine paralyzes any purposeful action because it renders us incapable of making objective judgments between democracy and totalitarianism, between true human rights and manufactured "rights," between the free market and Marxism's denial of the right to private property.

Let us recall, in contrast, President Reagan's May 1981 speech at Notre Dame University:

> The West won't contain communism; it will transcend communism. It won't bother to denounce it; it will dismiss it as some bizarre chapter in human history whose last pages are even now being written.

In other words, Soviet communism is a negative, a denial of self-evident truths and basic human rights. The answer to a negative is not another negative, such as "anticommunism." The only answer is a positive statement and application of the truths for which we stand.

Moral Relativism

The deterioration of American foreign policy since the Second World War, which reached its low point shortly before President Reagan was elected, is due not to the power of Marxist ideology nor to Third World hostility nor to the realities of nuclear weapons. It is caused by the acceptance among too many American political leaders of the notion of moral relativism, which has replaced the doctrine of democracy and human rights. The same moral relativism is the philosophic ground of the historicism that underlies Marxist ideology. Adopting such a point

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of view is a formula for paralysis; it is quite literally disarming the American people.

There may be genuine moral fervor among those who favor unilateral disarmament or the nuclear freeze, but this is no substitute for facts. A true prophet does not cry "peace, peace" when there is no peace. It is no use to say that our intentions were good if our actions have made war more likely. We should tremble at the parallels with the 1930s, and at Winston Churchill's prophetic statement after the appeasement at Munich:

> The people should know that we have sustained a defeat without a war . . . They should know that we have passed an awful milestone in our history . . . and that the terrible words have for the time being been pronounced against the Western democracies: "Thou art weighed in the balance and found wanting." And do not suppose this is the end; this is only the beginning of the reckoning. This is only the first sip, the first foretaste of a bitter cup which will be proffered to us year after year unless, by a supreme recovery of moral health and martial vigor, we arise again and take our stand for freedom as in olden times.

It is rightly said that if you can choose the site of battle or establish the issues of debate, your chances of success are greatly improved. I think this is why our geopolitical position has eroded so much since the Second World War, while the Soviet Union has established hegemony over larger and larger areas of the globe: We have been fighting on territory chosen by the enemy. The lack of a coherent relation between our political principles and our global strategy makes us constantly reactive, while the Soviets initiate actions on a broad front.

Embracing a Vision

President Reagan has given us a much-needed new beginning in foreign policy, one that restores our American political ideas to their rightful place at the center of American foreign policy. I would state the principles as follows:

- The central feature of the American political tradition is the legitimacy and superiority of democratic self-government that observes the God-given rights of man.
- The first purpose of our involvement in world affairs is the defense of our nation and its vital national interests, as the birthplace and exemplar of modern liberal democracy.
- It is our duty, insofar as it is possible and prudent, to assist democratic movements and peoples struggling under tyrannical regimes in these same three respects.
- It is our duty, in so far as it is possible and prudent, to assist democratic movements and peoples struggling under tyrannical regimes in these same three respects.
- The greatest single threat to self-government in this world comes from Soviet imperialism, and it is our obligation as believers in peace, freedom, and democracy to minimize Soviet global ambitions.

Followed seriously, such an American foreign policy strikes a lethal blow at the "scientific" claims of the oligarchs in the Kremlin. For it cuts away the ideological roots of Soviet authority by revealing communism for what it is—a residue of world history rather than some inexorable wave of the future. Sadly, in the past an effective foreign policy based on democracy and human rights has too often been emptied on the Left by vacuous moralism and on the Right by small-minded provincialism. The makers of American foreign policy should pay more attention to the truths that Americans live by, and less attention to whatever the elites in power happen to want. If they did, they would find that the American people, and the people of the world, are eager to embrace a vision whose foundations rest on the truths that Americans have defended for more than 200 years with their lives, their fortunes, and their sacred honor.

The efforts of those who cherish our Judeo-Christian heritage made an enormous difference in 1980. And they can do so again in 1984. Senator Kennedy quoted his brother, President John Kennedy, as saying, "I believe in an America where there is no [religious] bloc voting of any kind." While I admire and respect President Kennedy, and while this is a fine sentiment in the abstract, I hope that I never live to see such an America. Because when Americans stop voting on the basis of their spiritual heritage, they will have lost part of that which distinguishes them as Americans.

To be true to our religious beliefs, conservatives must become politically more inclusive.

King and Falwell

The Reverend Martin Luther King, Jr., did not think that personal religious beliefs have nothing to do with the public good. He was not content with the abstract statement of the truth that all men are created equal. He believed that abridgements of the civil rights of Americans that conflict with this truth must be eliminated. His life was dedicated to the idea that the reality of daily life as well as our ideals should reflect the equality and brotherhood of all people.

Martin Luther King and Jerry Falwell would disagree on many issues of public policy. But surely on this central idea they are united, as all Americans should be: Democracy without morality, or freedom without faith, is impossible. This belief is, so to speak, the tiny mustard seed out of which the great tree of democratic liberty took root and has its being.

Let us learn to be tolerant of sectarian differences. But let us never forget the moral truth that makes all tolerance possible. For as it is written in the Gospel of John the Evangelist: "You shall know the truth, and the truth shall make you free." Blessed indeed is the nation whose God is the Lord. ☎

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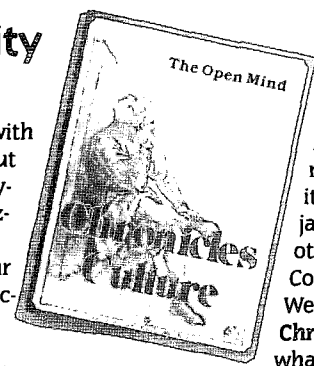

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Around the States

Jimmy Carter's Favorite Mayor

Coleman Young believes in getting his chips down early. He was one of the first major Democratic politicians to endorse a little-known ex-Georgia governor for the presidency in 1976, and a grateful Jimmy Carter opened up the federal spigot for Detroit soon after taking office. Coleman Young was his favorite mayor, Jimmy Carter declared.

Last year Coleman Young made another early endorsement, this time of Walter Mondale, who he no doubt believes can be counted upon to react in the same fashion if he's elected. Whether Mr. Young's Carter strategy will be as successful this time around is open to question, of course. "Ol' Pruneface," as Mr. Young refers to Ronald Reagan, may be a lot tougher to beat than the lackluster Gerald Ford.

The interesting question is why Mr. Young cast his lot with Mr. Mondale so early. Unlike Mr. Carter, Mr. Mondale already was the front runner. There is much to suggest that Mr. Young, like the labor unions, felt an early endorsement was necessary not to flex his political muscle but to maximize waning strength.

Photos: *Detroit News*

Old Machine

To be sure, Coleman Young still has plenty of political muscle in Detroit. "Coleman owns Detroit," says one veteran political observer here. But it's a shrinking piece of turf, a city increasingly dependent on the federal and state governments. And the black political machine built by Mr. Young is showing some cracks. In a city that is now at least 63 percent black, compared with 43 percent when Mr. Young took office, the charge of racism isn't quite the potent battle-cry it used to be. "People are starting to see that it isn't enough just to put a black man in office," says a young black minister who sees a more conservative trend in Detroit political circles these days.

Neoconservative intellectuals may debate whether any such thing as a "Reagan revolution" has taken place. Coleman Young and his supporters have no doubt of it.

The federal spigot has been, if not exactly turned off, sharply constricted. Affirmative action policies are under attack. A pet subway project and other construction schemes that would have meant jobs and contracts have been shelved. The mayor himself has been under Justice Department scrutiny in a contract kickback case directly involving some of his closest associates.

Not only has Reaganism affected relations between the city and the federal government, it is affecting city-state relations. Michigan in 1982 elected a liberal Democratic governor, James Blanchard, and a Democratic-controlled legislature. At first this seemed a ray of light for Detroit, which with 1.1 million residents (the Detroit metropolitan area, with 4 million residents, accounts for nearly half of Michigan's population) swings a certain amount of weight in Lansing.

Panic in the Capital

The governor started off his term last year with a 38 percent tax increase and a 12.5 percent boost in spending. But it was all downhill for the liberals from there. Outraged voters launched recalls against a dozen legislators who voted for the increase and against Mr. Blanchard himself. When two state senators were actually recalled in November, a historic event that attracted national attention, panic seized the state capitol. The governor's latest budget actually called for zero spending cuts and a partial rollback of the in-

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creased taxes. Coleman Young was aghast and implied that the governor had turned out to be nothing more than a weak-kneed Reaganite in disguise.

The tax revolt, nurtured by the Reagan rhetoric and example, has cut the ground out from under the general urban strategy being followed by Coleman Young and other mayors, black and white. As their own tax bases have eroded, they have substituted federal and state aid to make up the difference. But they haven't had to forfeit any power of their own, particularly in the case of black mayors who can claim to be the indispensable intermediaries between the "community" and the outside world.

Neoconservative intellectuals may debate whether any such thing as a "Reagan revolution" has taken place. But Coleman Young and his supporters have no doubt about it.

Despite all the talk of Mr. Reagan's spending cuts, of course, very little in actual reductions has occurred. But even a hold-down is a serious threat to an urban strategy based on promises of ever-more. Without constantly expanding funds from outside sources, the cities see the day when they will be thrown back on their own resources.

Levers of Power

The implications of that are profoundly unsettling to old-line pols like Coleman Young, who came to office a decade ago on the premise that power would, in large part, be its own reward.

Mr. Young, who is 65, is a grandson of a successful Alabama small businessman. His father moved to Detroit in the 1920s but never quite matched his own father's success. Coleman, educated at a Catholic elementary school and public high school, couldn't afford college and says that because of his color he couldn't get a scholarship. He went to work at a Ford plant, became involved in union organizing in the auto industry, and during the 1930s fell in with progressive elements whose anti-Fascist, anti-capitalist, pro-Negro line was popular with frustrated young blacks.

After the war, Mr. Young accepted the help of an avowed Communist union member in gaining a seat on the powerful Wayne County Council of Industrial Organizations. And when Walter Reuther purged the United Auto Workers of leftists, Mr. Young became executive secretary of the National Negro Labor Council, later listed by the attorney general as a Communist front organization. The House Un-American Activities Committee (HUAC) held hearings in Detroit in the late 1940s. Coleman Young became a local hero by using his testimony to charge the committee with racism. The Labor Council reportedly disbanded in 1956 rather than turn its membership list over to the government, charging a frame-up. But Mr. Young was on his way politically, becoming a state senator in the 1960s and rising to a position of leadership in the legislature, then winning the mayoralty in 1973.

There is nothing to suggest that Coleman Young is or ever was much of a left-wing ideologue, much less a Communist. He doesn't talk the language of Marxist dialectic. And the realities of running a big city leave little scope for rigid ideology, Marxist or otherwise.

But even today Mr. Young's tactics are reminiscent of the hard-ball organizational politics that characterized left-wing politics in the 1930s and 1940s. The charge of racism still permeates his rhetoric, though he gets along well with individual whites, particularly Detroit's business establishment. He also has a reputation as a ruthless political operator. Among his key supporters is a shadowy organization called the Shrine of the Black Madonna, a black separatist outfit that claims wide following in several cities and grew out of the radical black politics of the 1960s.

Mr. Young has pared the city's work force back to 19,000 from 27,000, despite ferocious union opposition. When youth gangs threatened to get out of control last summer, he enforced a curfew law that brought howls of outrage from civil liberties groups. And he works closely with big business trying to coax private enterprise back into the city. His biggest victories have been Henry Ford's Renaissance Center hotel-office complex, and General Motors' decision to locate a giant new production facility within city limits.

This has won Mr. Young the reputation of a pragmatist. But economic development has remained minimal overall. The downtown's only remaining department store had to close its doors last year for lack of business, and commercial real estate goes for only $12 a square foot downtown, about half the rate even in Cleveland and far below that in other major cities. The city's sprawling residential districts, once the pride of Detroit's blue-collar aristocracy, likewise have deteriorated.

The worker cutbacks are less impressive than they might seem. Most of the money saved has in effect gone to keep the salaries and benefits of remaining workers high—indeed, among the highest in the country. The result is that city residents are getting even less service for their tax dollars and are continuing to move to the suburbs.

One of the mayor's proudest accomplishments was integration of the police force. Mr. Young first won the mayoralty by campaigning against police brutality; now the police force is about 25 percent black, compared with less than 15 percent when he took over, thanks

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to a vigorous quota system that has survived all court tests. The mayor's goal, he says, is 50 percent. Statistics seem to show some reduction in the crime rate, but the need for measures like a curfew leave grounds for skepticism.

In fairness to Mr. Young, the city's problems are part of a long-term meltdown that began well before he took office. It was under a white liberal—some say because of a white liberal—that Detroit's traumatic 1967 riot took place. And many of the problems that afflict Detroit are manifested in varying degree in other cities, as well as beyond the mayor's control—the national economy or the dessication of the American auto industry.

Revival Downtown

Mr. Young has at least maintained a certain minimal level of service and development. His planners, despite certain pie-in-the-sky tendencies, have been working hard at a number of down-to-earth, sensible projects. Downtown Detroit, which never was that much of a downtown—the auto companies were always headquartered on the outskirts—is turning into something of a residential center. Two expensive new apartment buildings and other commercial buildings are going up along the waterfront, which may turn out to be as valuable an asset for Detroit as it has in places like Baltimore and Boston.

Still, the conviction persists that Coleman Young hasn't done all he might to arrest the hemorrhage. He came to power on the issue of race and, having won that battle, seems unable to move forward. When the city was faced with bankruptcy in 1981—the result of Carternomics, not Reaganomics—he campaigned for a big tax increase on blatantly racial grounds.

"Are we willing to do what is necessary to see that the city's destiny remains in our hands?" he thundered to black audiences. "Or will we do what thousands of bigots hope we'll do—vote no and let the state take us over?"

It worked. The measure carried by an impressive 3-for-2 margin at a time when tax increases were being beaten back elsewhere. But it was hardly a campaign designed to reassure whites, nor was the tax increase designed to attract or keep the middle class in Detroit.

Affirmative action is another aspect of Mr. Young's politics of race. Whatever may be said about the justice of it, affirmative action is to the modern black mayor—and not a few white mayors—what patronage was to the Irish-American pols of yore. It allows the former to circumvent the civil service barriers resulting from the excesses of the latter. It has become a system to reward friends and punish enemies. In Detroit, minority is officially defined as black, though whites are now the numerical minority. (Hispanics and Orientals are petitioning to have themselves included in the minority definition. Interestingly, Arabs are probably the fastest growing ethnic group, numbering more than 200,000. Mostly Chaldean, they are rapidly becoming Detroit's new merchant class.)

When Detroit's cable TV franchise was put out to bid, the big white-owned companies didn't bother to bid. The $160 million contract went to a black firm that promptly subcontracted most of the work to a Canadian outfit.

There's grumbling on the streets that Mr. Young or his friends are growing fat from such deals, and that after a decade it may be time for a change. Mr. Young brooks no opposition within the city, but William Lucus, Wayne County executive, is often mentioned as an alternative to the politics of Coleman Young.

Mr. Lucus, who grew up in Harlem and served as an FBI agent

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and sheriff, took office a year ago, cleaned out county government, cut expenses, and has been boldly trying to control such uncontrollables as hospital costs. Interestingly, the Shrine of the Black Madonna, Mr. Young's militant allies, has undertaken a recall campaign against Mr. Lucus, but few think it will succeed. If it doesn't, it could blow a large hole in Mayor Young's image as impregnable politically and cause a major split in black ranks. Even the mayor is said to believe the recall effort is a mistake, and for the record, he has disavowed it. Having opposed the recall efforts against tax-and-spend liberals in Lansing, he could hardly do otherwise.

A Mondale election would do much to help quell any revolt in the ranks. With a few visible grants and moral support from Washington, Mr. Young would once again be cast in the role of indispensable intermediary. Mr. Young is a first-class politician who would know how to milk the protection of the White House for all it's worth.

Wily Lion of Detroit

So Coleman Young has resisted the temptation to play it safe or to sign on to Jesse Jackson's symbolic candidacy. Indeed, he makes no secret of his hostility to Mr. Jackson. "I once asked Young what he thought about Jackson, and he told me—for 30 minutes," says a top auto executive here. The very fact of a Jackson candidacy challenged the notion of a still oppressed class that continues to need special treatment of the sort Mr. Young backs. Part of Mr. Young's early-endorsement strategy, no doubt, was to head off any grass-roots movement for Mr. Jackson, whose appeal is strong in the cities.

Coleman Young, wily pro that he is, will doubtless find a way to survive a Reagan victory. After the 1980 election, he virtually hid from the press in Manoogian Mansion, the mayor's official residence, licking his wounds. Despite the horrors of Reaganism, he—and Detroit—is certainly still alive and kicking. But another four years of President Reagan clearly won't be easy for the lion of Detroit. His Carter strategy is testimony to that.

Thomas J. Bray

THOMAS J. BRAY *is editorial page editor of the* Detroit News.

Business as Unusual in the Bay State: The Legacy of Proposition 2½

Proposition 2½—Massachusetts's version of the tax revolt—has provided an unexpected opportunity for the state's municipal governments. The law, among other provisions, limits property tax levies to 2.5 percent of the market value of all taxable property in a community. When it was passed in 1980, local officials and public employee unions prophesied municipal collapse. Roads would disintegrate, the schools would be destroyed, garbage would pile up at curbside, crime would go unchecked, and helpless babes would perish in fires.

What collapsed instead was the venerable tradition of business as usual. Proposition 2½ did squeeze school systems and city halls, though state aid and full cash value property assessments cushioned the blow. But it also had a consequence as unexpected as finding a Bierstadt landscape at a flea market. In community after community, it set municipal managers free to experiment, to streamline corpulent bureaucracies, and to think the politically unthinkable.

Proposition 2½ became a heat shield for elected officials. Suddenly, they could end property-tax subsidies of water rates, close unneeded schools, and carry out other efficiencies that voters, neighborhoods, or unions had always stymied before. Town managers saw Proposition 2½ as a challenge to their management skills. And voters, pacified by the prospect of having their tax cuts and their services too, were willing to let them manage. Local governments were even hungry enough to sit down with equanimity to an occasional dinner of sacred cow.

In Massachusetts few cows are as sacred as the separation of schools and general government. That usually translates into separate but equal bureaucracies. School committees had fiscal autonomy; the government had to approve whatever budget the school committee laid before it. One provision of Proposition 2½ ended that autonomy. For the first time, the fiscal fortunes of school and municipal administration were linked.

Arlington and Williamstown saved tens of thousands of dollars by unifying telephone or computer systems. Bedford moved gingerly into joint purchasing. With breathtaking audacity, Andover, a town of about 30,000, went all the way. It saved about $250,000 a year by consolidating school and town purchasing, maintenance, personnel, switchboard, supply, vehicle repair, and computer operations.

Privatization

To make the town-gown marriage work, Andover needed a joint administration center. The cost for creating one out of the wings of a former junior high school was estimated at $4 million. The inspiration: sell the wings to a private developer and move into the finished project as a tenant. The sale and leaseback arrangement, with an option to buy at the end of the depreciation period, exploited tax breaks available to the private developer under the Economic Recovery Tax Act and the industrial revenue bond program to cut the town's ultimate cost by almost 25 percent.

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"And this way," said Town Manager Kenneth R. Mahony, "we bond nothing."

Andover liked the results so much that it just sold its public library to a private developer. The town will gain a 30,000-square-foot library addition.

Going private to preserve services became a minor trend. Pittsfield, a city of 50,000, discovered that the cost of garbage collection was rising beyond its means. Instead of cutting back, it cut the bill (by about $200,000 a year) by scrapping its sanitation department and putting garbage collection out to bid. Almost two years later, service has improved.

Quincy's city hospital traditionally ran in the red. When it lost the power to raise taxes to cover the deficit, the city decided to keep the service but get out of the hospital administration business. It contracted with Hospital Corporation of America. "Now," reports the mayor's executive secretary, Peter M. Kenney, "the hospital runs in the black."

The city of Worcester wanted to rent its budget-draining municipal golf course to a private operator. But that turned out to be politically unthinkable even in the face of Proposition 2½. Senior citizens, a majority of club members, said a for-profit operator would price them out. So Worcester did the next best thing. Said the commissioner of parks and recreation, "We decided to operate it like a private business and market it."

Green Hill Country Club now stays open nine months a year, charges more but offers reduced off-hours rates, and has established 21 golf leagues that bring in reliable income. The club finished the year with a $928 surplus, the first ever.

Recreation felt the Proposition 2½ pinch most keenly. Wayland, population 12,000, cut recreation from its budget altogether and put programs on a pay-as-you-go basis, charging a fee for each activity to cover its cost. But as soon as residents could have any program they were willing to pay for, offerings multiplied. The superintendent of parks and recreation, William Kilcoyne, said Wayland has a scholarship program to prevent fees from locking out poor residents but that few apply. "It's hard to say if it's because they can afford it or because they're too proud to ask for assistance," he said.

The most common, if least imaginative, response to Proposition 2½ was to raise fees for everything from dog licenses to hawker's permits—usually for the first time in more than a decade. Officials in several communities said publicly or privately that hikes were long overdue but could not have been approved before. According to a survey conducted by the Massachusetts Municipal Association, in the first year of Proposition 2½ two thirds of its member communities increased fees for permits and licenses to the legal maximums, established new charges, imposed user fees, or raised them to match the cost of the service.

Communities began charging for false alarms from private security systems. If the alarm owner took the hint and adjusted his equipment, the number of false calls declined and police were freed for more productive work. If not, the fee brought in revenue.

The same Massachusetts Municipal Association survey showed that 35 percent of its members consolidated services, pooling clerical or maintenance workers, chopping off superfluous department heads, combining departments, or creating joint fire-police communications centers.

The city of North Adams merged fire and police departments into a department of public safety headed by a single commissioner instead of two chiefs. Arlington, which did that before Proposition 2½, is negotiating with the state civil service system for permission to have police respond to fires.

In Pittsfield two studies of government management almost two decades apart both called for sweeping government reorganization. Both were debated and then laid aside to gather dust. A year into Proposition 2½, the city commissioned a third. But this one was carried out.

Some governments found fiscal pressure wonderfully stimulating to the imagination. Quincy's fire car tools around town with an ad on the back for the auto dealer who donated it. Wayland is establishing a tax-exempt foundation to make gifts to the park, recreation, cemetery, and forestry departments tax-deductible. Attleboro mimicked private institutional fund-raising by publishing a Christmas gift catalogue that offered, for example, the privilege of leading the Memorial Day parade for $3,000. As an added attraction, the city offered to name the parade for the buyer.

Tiny Bridgewater, population 18,000, needed to cut the cost of fire protection. It has an on-call fire department; every time the fire whistle blew, every on-duty firefighter who responded was entitled to bonus firefighting pay whether the alarm required the services of three or all 15. Bridgewater kept all its firefighters, but it bought them personal pagers. Now each one knows exactly for whom the bell tolls.

Local governments in Massachusetts "have done a number of innovative things to cope with Proposition 2½," agrees Carl F. Valente, associate director of the International City Management Association and coauthor of a national study of municipal services that communities have turned over to private companies, "but innovation was rare in the past."

From his point of view, one of the most significant innovations is a growing trend toward professional municipal management. Historically, Massachusetts local governments have been run by "salesclerks and the like," he says, but since Proposition 2½ went into effect, more than half a dozen communities have switched to city or town manager government.

Not all the innovative ideas may turn out to have been good ones. But without Proposition 2½, they probably would never have been tried.

Judy Katz

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Paddy, We Hardly Knew Ye

Daniel Patrick Moynihan Was Once the Great Neoconservative Hope

Dinesh D'Souza

When Daniel Patrick Moynihan was elected as a Democrat to the U.S. Senate in 1976, neoconservatives were jubilant. The new senator from New York was regarded as the first of their number to be elected to high office. Together with Irving Kristol, Nathan Glazer, and Daniel Bell, he had been one of the founders and editors of the *Public Interest,* the lively forum for liberals and ex-liberals with second thoughts about welfare state programs. He had written a series of *Commentary* articles urging the United States to go on the ideological offensive against communism and Third World Fabianism. He was celebrated for his attacks on United Nations hypocrisy while ambassador to the UN in 1975. And his roster of teaching assistants at Harvard, as well as his early staff appointments for the Senate, included many of the best and brightest of the younger neos: Leslie Lenkowsky, later executive director of the Smith Richardson Foundation, now deputy director of the U.S. Information Agency; Suzanne Garment, editorial page columnist for the *Wall Street Journal;* Charles Horner, deputy assistant secretary of state for science and technology; Elliott Abrams, assistant secretary of state for human rights; Penn Kemble, director of the Institute for Religion and Democracy; Chester Finn, now professor of education at Vanderbilt.

It therefore came as a disappointment and surprise when, starting around 1980, Senator Moynihan moved to the left of the Democratic party. He voted against President Reagan's tax cuts, against his budget cuts, against increased aid to El Salvador, against nerve gas, against antibusing legislation. He was strongly opposed to Mr. Reagan's proposal to deploy the MX missile in Minuteman silos. "The result will be a world set on a hair trigger, ready to be catapulted into holocaust one day on about nine minutes' notice—like as not by accident," he wrote in a *Newsday* article titled, "Reagan MX Plan Commits U.S. to First Strike Policy." In a recent speech to the Senate, Mr. Moynihan blamed the rise of global terrorism on U.S. disregard for international law in its foreign policy. Mr. Moynihan's general shift leftward is charted by his Americans for Democratic Action rating—a measure of fidelity to liberal legislation—which rose from 47 in 1979, to 72 in 1980, to 75 in 1981, to 95 in 1982. Last year the *National Journal* dubbed him the most liberal voter in the U.S. Senate.

Seemingly the most dramatic example of Mr. Moynihan's transformation is his apoplectic response to President Reagan's Grenada operation, which even House Speaker Tip O'Neill refrained from criticizing. "We do not have the right" to intervene, Mr. Moynihan thundered. "I don't know that you can bring in democracy at the point of a bayonet." Even after initially skeptical liberal Democrats visited Grenada and changed their evaluation, Mr. Moynihan remained opposed.

Senator Moynihan can still be found listed on the Publications Board of the *Public Interest,* and he remains a close friend of several neos. Nevertheless, most of his neoconservative colleagues have expressed consternation and grief over his recent posture. "Moynihan was the obvious political heir to Scoop Jackson," says a prominent neoconservative. "Now with Scoop's death and Moynihan's defection, the Jackson Democrats have nowhere to go."

Mr. Moynihan's dramatic *volte-face* is intriguing because most political pilgrimages are made from utopian liberalism to a clear-eyed conservatism or neoconservatism. Norman Podhoretz, Irving Kristol, James Burnham, Frank Meyer, and Whittaker Chambers are a few examples of intellectuals who have journeyed from liberalism, Trotskyism, or even Stalinism to the Right. But here with Mr. Moynihan we have the odd phenomenon of a neoconservative "growing out" of realism and making his way back to a liberalism that he himself condemned. Can one be unmugged by reality?

Mr. Moynihan's transformation should be seen in the context of a series of shifts that have occurred since his early political life. He has always been rather mobile on the political spectrum.

He was born on March 16, 1927, to John Moynihan,

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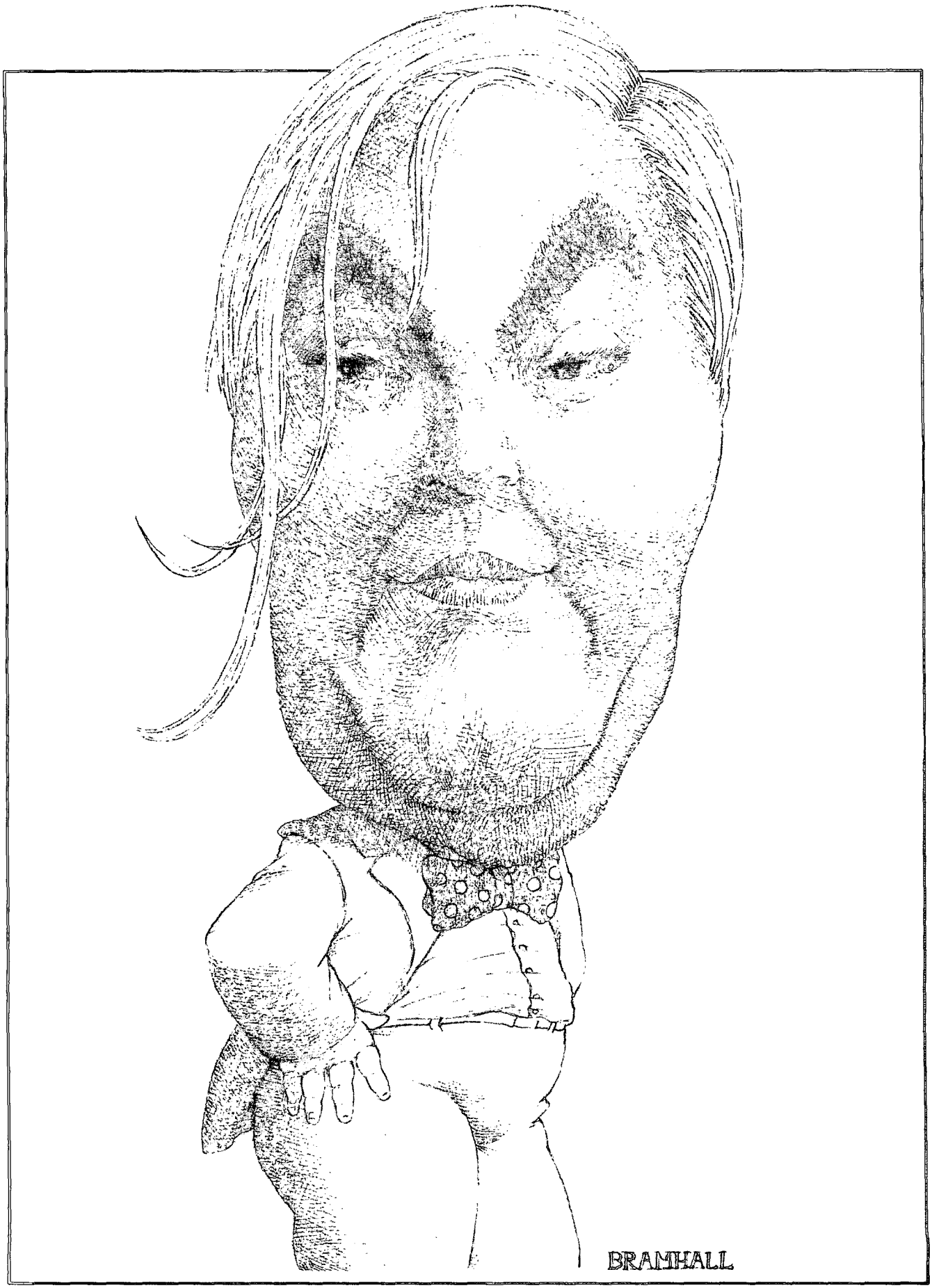

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an advertising copywriter, and Margaret, a comely woman of German stock who had converted to Catholicism. Shortly after Daniel Patrick was born, the family moved from Greenwich Village to Ridgefield Park, New Jersey, where they lived a comfortable suburban life. But John Moynihan made long trips to New York City, where he jostled, boozed, and gambled with writers, bohemians, and barroom intellectuals. There the alcohol overtook him, and in 1937 he left home permanently, lowering Margaret Moynihan and her three children into poverty.

She moved back to Hell's Kitchen, a down-and-out neighborhood of New York, and tried working two jobs and remarrying to improve the family's condition, but that didn't help much. Daniel Patrick attended several public high schools, where he learned to take pride in his indigence, often inviting his more affluent friends to visit his neighborhood and see real-life winos and bag people. He excelled in class, and he shined shoes, delivered newspapers, and unloaded freight cars to make extra money in his free time. He also wrote revolutionary leftist tracts for a community bulletin.

In 1944 Mr. Moynihan joined City College of New York, where he came to detest the limousine liberalism of the rich kids. Perhaps only to spite them, he became a rhapsodist of capitalism and wrote to a friend that "a new life has come to me, and the glories of the capitalist system and the American way have burst into my life." He advised his friend to burn his letters that implied he had once been a socialist. His new motto was "Long live the American way of life—down with the reds and the labor unions."

Yet Mr. Moynihan remained a Roosevelt Democrat. He was uncomfortable not only with the moneyed liberal Trotskyites at City College but also with the dapper Dewey Republicans he encountered at Middlebury College in Vermont. At Middlebury for Navy training, he felt affection for the lush New England school but thought the prep school graduates there needed "a good swift kick in their blue blooded asses . . . to get some feeling in them," as he confided in a letter. Mr. Moynihan finished his ROTC at Tufts University, where in 1946 he represented the school at the Student League for World Government. He had absorbed an old Wilsonian concept there that would never leave him.

In August 1950 Mr. Moynihan was awarded a Fulbright scholarship for graduate study at the London School of Economics. There he found a limited market for his exaggerated ethnicity and poor man's politics, so he adopted British conventions and views instead. He started carrying furled umbrellas and wearing bowler hats, custom-made shoes, and a monocle. Even today he sometimes wears the bowler hats and scandalizes friends with Anglophilic statements. At LSE Mr. Moynihan did resist British socialists among the faculty, writing injured letters to the *New Statesman* about allegations that the United States' foreign policy was morally equivalent to that of the Soviet Union.

Mr. Moynihan returned to the United States and in 1953 went to work for the International Rescue Committee, a liberal anti-Communist organization that catalogued human rights violations across the globe. He took a vacation to work for Averell Harriman's campaign for governor of New York, and when Mr. Harriman won, Mr. Moynihan was appointed as an aide in the new governor's office. There he met a Republican attorney general named Jacob Javits, who would later serve in the Senate with him, and an unaffiliated girl named Elizabeth Brennan, soon Mrs. Moynihan, who found him "the funniest man I have ever known." He served as Mr. Harriman's secretary until the governor was walloped in the 1958 election by Nelson Rockefeller; then, in the tradition of felled politicians, Mr. Moynihan took up a teaching post. He began to work on the Harriman papers at Syracuse University.

"Moynihan was the obvious heir to Scoop Jackson," says one neoconservative. "Now with Scoop's death and Moynihan's defection, the Jackson Democrats have nowhere to go."

This was the start of Mr. Moynihan's career as a professor. He adopted some new foppish airs while retaining his ethnic saloon streak. In 1959 he wrote a muckraking article about lack of safety in automobile production, attributing neglect to Detroit profiteering and saying the industry was "drenched in blood." The article was published in *The Reporter,* a public policy journal edited by one Irving Kristol. Mr. Moynihan frequently impugned President Eisenhower in *The Reporter* for cutting allocations to hospitals, housing, and anti-pollution programs while spending lavishly on highway construction.

Mr. Moynihan's mature political life began with the John F. Kennedy campaign in 1960. He served on a Labor Department task force during the Kennedy administration with Secretary of Labor Arthur Goldberg, Secretary of Defense Robert McNamara, and Kennedy's special counsel, Theodore Sorensen. In 1963 he was named assistant secretary of labor. Mr. Moynihan was devoted to JFK's flamboyant synthesis of a confrontational anti-Communist foreign policy and a compassionate domestic policy. As late as 1982 he would call himself a Kennedy Democrat and scold his party for eschewing the old ideals of excellence and anti-Sovietism. When Kennedy was assassinated in November 1963, Mr. Moynihan was devastated. "We'll never be young again," he wrote to columnist Mary McGrory.

He likes to think that he has not lowered the Kennedy banner. Indeed, in some respects he has remained a Kennedy Democrat while being mistaken for a neoconservative. During the 1970s, for example, Mr. Moynihan protested the efforts of his neoconservative friends to cut the Comprehensive Employment and Training Act job

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program. "Do we have to rip apart what is left of John Kennedy's legacy?" Mr. Moynihan wailed. In fact, CETA was also a Moynihan legacy; the first federal job-training program was set up in 1962 when Mr. Moynihan served in the Labor Department. Mr. Moynihan has always been liberal on domestic issues. The neoconservatives, on the other hand, have announced their tolerance of the welfare state while savaging almost every one of its premises—not just empirically but also philosophically. On the domestic front, therefore, Mr. Moynihan cannot be said to have deserted the neoconservative camp when he never entered it.

It's a complicated business. There are numerous liberals to testify that Mr. Moynihan's numerous social-issue heresies amount to nothing if not neoconservatism. He was recruited into the Kennedy and Johnson administrations, which needed a former slum dweller to explain, in erudite terms, the predicament of the urban poor to the concerned but out-of-touch elite. But Mr. Moynihan turned out to be too uppity for the liberal establishment. In December 1968 he published *Maximum Feasible Misunderstanding,* a trenchant criticism of President Johnson's antipoverty program. The Left was horrified and accused Mr. Moynihan of wanting to dismantle the Great Society. But then Mr. Moynihan was appointed domestic adviser in the Nixon administration, where he urged continuation of the very programs whose success he had questioned. When conservatives in the Nixon administration quoted Mr. Moynihan's own writings to him, he explained that these programs were necessary to maintain social equilibrium, so we should endure their inefficiencies. As architect of President Nixon's Family Assistance Plan—a negative income tax with a base payment of $1,500—he did try to rectify the complications in welfare programs and encourage recipients to get off the rolls. He said the plan would "abolish poverty for dependent children and the working poor." But the FAP was defeated by a combination of fiscal conservatives, who considered it too expensive, and social welfare bureaucrats, who feared it would take away their jobs.

Mr. Moynihan passed the extreme versatility test when he sponsored three contradictory arms control proposals. Pacifists, moderates, and hawks could all feel represented.

Mr. Moynihan's domestic positions are often susceptible to divergent interpretations. In 1965 he issued his controversial report on the breakup of the black family, which warned that "the children of our slums are being savagely cheated by society which thinks it is too sophisticated to care about whether children have fathers and mothers have husbands." Initially, the report was hailed as "a devastating indictment of what white Americans have done to Negro Americans," in the words of a *New York Times* article on the subject.

But shortly after that civil rights leaders groaned that the report only sanctioned racial stereotypes. Quickly the conventional view of Mr. Moynihan's report changed. The Johnson administration, which was planning to use the report as justification for a new social program, made it a closed book. Mr. Moynihan is still regarded suspiciously by the civil rights establishment, and some speculate that it is this ostracism that first drove him away from the mansions of liberalism. Edward Banfield, author of *The Unheavenly City* and Mr. Moynihan's colleague at Harvard, says that "Moynihan was defined, mostly unfairly, by blacks as a racist. And the white liberal establishment didn't want to offend blacks by being nice to him. So, in a sense, Moynihan had neoconservatism foisted upon him."

Certainly Mr. Moynihan had not expected the civil rights people to take umbrage at his report. He felt he was doing them a service. He had not uttered any real heresies—he did not even imply, as George Gilder does, that black poverty and family breakup were in large measure the result of welfare programs designed as antidotes to poverty. In 1969 the *New York Times* printed one of Mr. Moynihan's confidential memos urging "benign neglect" of the problem of race. This, too, was interpreted as heinous racism; in fact, Mr. Moynihan felt that blacks would be better helped by government programs focused on practical problems, such as housing, education, and job training, rather than on bigotry.

In foreign policy Mr. Moynihan compiled a record that makes him easier to locate on the political spectrum. Thus it is possible to trace his movement along that spectrum over the years. In 1975 Mr. Moynihan made headlines when he called the United Nations resolution equating Zionism with racism "irresponsible and obscene," adding that it reflected the essential worthlessness of the United Nations. This elevated diplomatic eyebrows. It was not seemly protocol for the chief U.S. delegate to the UN to behave this way; the usual procedure was to sigh and endure Third World hypertension. Ivor Richard, British ambassador to the UN, chastized Mr. Moynihan for his outburst, comparing him to King Lear raging and drooling in the storm. This only further provoked Mr. Moynihan. He called Idi Amin of Uganda a racist murderer and said it was no accident that he headed the Organization of African Unity; he said Soviet diplomats lived "in a world of lies"; he called Mr. Nixon's policy of détente "a form of disguised retreat." His candid talk endeared him to anti-Communists. And his fulminations about the UN brought special cheers from New Yorkers, who had long detested the posturing, pompous Third World bureaucrats with their anti-Israel diatribes and parking privileges.

It is difficult to come up with a neat hypothesis for Daniel Patrick Moynihan's political behavior that accounts for all the disparate evidence. But any cogent explanation must take into account the following data. First, the environment into which Mr. Moynihan has

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been placed has changed over the years. To put it simply, the neoconservatives have moved sharply right. In a recent interview Irving Kristol said that neoconservatives and conservatives have reconciled their differences so that now only marginal issues—such as school prayer—separate them. In 1976, when Mr. Moynihan consulted Norman Podhoretz about running for the Senate, Mr. Podhoretz pointed out that this was an opportunity to "define a winning centrist position, first by creaming the radicals within the party, and then the right wing outside the party." Today Mr. Podhoretz criticizes Ronald Reagan for insufficient toughness against the Soviets.

Second, the neos who embraced Mr. Moynihan overestimated his attachment to their cause. Actually, Mr. Moynihan no more than flirted with neoconservatism. Critics of this view can resurrect an impressive amount of items from his dossier to prove that his was a meaningful love affair. In a single essay, his famous "United States in Opposition" in *Commentary* in March 1975, he succeeded in flabbergasting almost every liberal orthodoxy. He blamed liberals for inducing the United States to "actively participate in the sustained assault on American institutions." On the economic front, he deplored the "success—typical—of the argument that the cure for the damage done by leftist policies is even more leftist policies." He warned that "the Third World must feed itself, and this will not be done by suggesting that Americans eat too much." He accused American liberalism of depreciating into radicalism.

Similarly, in 1972, Mr. Moynihan had strived to rescue the Democratic party from extreme liberalism. He predicted that a McGovern candidacy would be catastrophic, and when he was proved right, he reflected, "They read the American working people out of the party and then were astonished when they voted for the other party." In an August 1977 essay Mr. Moynihan made his own distinction between the bullying of authoritarian regimes and the barbarism of totalitarian ones. "Unlike the Soviets and their ideological progeny, these right-wing regimes do not deride liberty as a bourgeois illusion. They commit abominations in practice; the Communist countries commit abominations in principle. Anyone who cares about human rights will know what type of abomination is the most destructive of those rights." In 1980 Mr. Moynihan, reappraising his party after an electoral defeat, observed that "a party of the working class cannot be dominated by former editors of the *Harvard Crimson*. It can be influenced by them, but when it is dominated by them it loses touch." This is slightly ironic—Mr. Moynihan himself is a Harvard intellectual, although he harbors a populist anti-intellectualism. In 1981 he predicted that "so long as the ideas underlying the Carter administration's UN policy are dominant within the Democratic party, we Democrats will be out of power."

This is admirable heaving and puffing. But Mr. Moynihan seldom translated it into a concrete strategy for anti-Communist praxis. He berates the Democratic party even while reckoning it the only hope for the future, just as Orwell excoriated socialism while insisting that he was arguing for socialism, not against it. Even as Mr. Moynihan was launching his philippic against the UN, he advised against our pulling out of it. In 1976 he expressed discomfort that candidate Reagan was employing his UN

An Interview with Senator Moynihan

You used to be close to the neoconservatives.

I *am* close to the neoconservatives. They are personal friends, and they are not all conservatives, old or new. What you will find in the first five or six volumes of the *Public Interest* is a set of social science findings that, with varying degrees of disappointment, report that some of the major program commitments of 1960s liberalism probably wouldn't work out as expected. These articles weren't written by conservatives; they were for the most part the work of liberal scholars who were just reporting their findings. The word neoconservative first appeared in *Dissent* magazine in the 1970s as an epithet to brand these messengers.

Over the years, neoconservatives have become critical of the welfare state not only empirically but also in its philosophical premises.

You are quite right, and that is where I drop off. I wrote my first article in the *Public Interest* as an assistant secretary of labor in the Johnson administration, having been appointed by John F. Kennedy. Many neoconservatives have gone from a critique of the applied practice to a critique of the underlying proposition. I am not that analytical a person; I'm more a person of applied interests. It has always seemed to me, if this or that didn't work, you would try to find something that did.

Have you changed your mind about Grenada?

No. In the UN charter, and in treaties such as the charter of the OAS, we have a set of propositions the countries of the world have committed themselves to. We should hold the countries of the world to those commitments, ourselves included.

Doesn't the idea of international law put the United States at a disadvantage, if the United States unilaterally abides by its restraints and the Soviet Union violates it?

It gives us a standard for foreign policy. When we put through the intelligence authorization bill that included actions against the government of Nicaragua, I emphasized in a statement on the floor that, in the statutory language, we found Nicaragua to be in violation of Article 18 of the Charter of the Organization of American States, which prohibits intervention in the affairs of other states. The consequence was that certain actions against the government of Nic-

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speeches to discredit the organization. Shortly before promising that Mr. Carter's foreign policy would hurl the Democrats into lifelong oblivion, Mr. Moynihan endorsed Jimmy Carter's foreign and domestic policies at the 1980 Democratic national convention. He wavered on so many defense proposals in the last few years that Senator Jackson told one of Mr. Moynihan's former aides in exasperation, "I'm tired of holding his hand."

Mr. Moynihan's foreign policy, as set forth in his writings, seems to be a theoretical integration of Cold War liberalism and Wilsonian idealism. Far from seeing the former as tough-minded and realistic, and the latter as syrupy and muddle-brained, Mr. Moynihan interprets the two as logical extensions of one another. In other words, liberal democracy must be the cornerstone of U.S. foreign policy; the United States should be an evangelist for democracy abroad; it must resist efforts to squelch freedom—from Right or Left; the ultimate goal must be to spread the good news and convert the entire world. In his essay "Was Woodrow Wilson Right?" in *Commentary* in May 1974, Mr. Moynihan argued that realpolitik could not—and should not—be the basis for U.S. foreign policy. He called for the United States "deliberately and consistently to bring its influence to bear on behalf of those regimes which promise the largest degree of personal and national liberty." The article ended resoundingly, "We stand for liberty, for the expansion of liberty. Anything less risks the contraction of liberty: our own included."

This call for all-or-nothing democracy has been widely amplified, but not Mr. Moynihan's clearly stated caveat: "We shall have to do so with prudence, with care. We are granted no license to go looking for trouble, no right to meddle. We shall have to continue to put up with things obnoxious about which there is nothing we can do; and often we may have to restrain ourselves where there are things we can do." Now take Grenada. Mr. Moynihan's opposition to the invasion becomes comprehensible as part of the procedural restraints he puts on efforts to spread liberty and democracy. He meant us to stomach Grenada and swallow our bile. Why? Because as he said on October 28, 1983, on the Senate floor, he felt that to invade was to violate Articles 18 and 20 of the Charter of the Organization of American States. Together they rule that the territory of states is inviolable and no state may infringe on the sovereignty of another. Mr. Moynihan takes the Wilsonian concept of international law seriously. He believes that without such restraints it is impossible to conduct international relations.

This reading of Mr. Moynihan's foreign policy accounts for a good deal, but it does not account for the one-sidedness of his indictment. If the United States should be abstemious and not intervene in Grenada and Nicaragua, should not Soviet surrogates show equal restraint? And if they do not, isn't the United States compelled to counter their subversive influence? Mr. Moynihan was indignant about U.S. violations of the OAS charter, but he did not outline Soviet abridgements of international law. He grieved that in Grenada, Mr. Reagan was forcing democracy at the point of a bayonet, but he forgot that democracy came to Japan and Germany at the point of a bayonet. He is eager to ally with the "forces of nationalism" in the Philippines, forgetting that nationalism in Iran brought about hecatomb and an

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aragua were not only permitted, but required to uphold the standard of international law set forth in the OAS charter.

What kind of Soviet threat do you see in the Caribbean and Central America, and how should the United States respond?

The Soviets have made clear that they will try to take as much advantage as they can of insurgencies in the region. But you have just got to be blind if you think the Soviets started them. The insurgency in El Salvador started when a bunch of university students and others went off into the hills, whereupon the Cubans made the most of it. The insurgency wasn't having any great impact until Castro got the different guerrilla organizations together in Havana and put together a guerrilla command. Castro provided arms until the thing reached a point where it is probably self-sustaining; it is very much an internal war.

What should the United States do?

Well, I've not opposed what we have done. I have voted for the various measures. But it's a lapse of reality to think this all started in Moscow. Moscow will take advantage of it. Castro will do what he can. But did Moscow overthrow Somoza? The Western hemisphere overthrew Somoza. Cuba helped, but so did almost everyone else.

How do you see your role in the Democratic party? What were the stakes in your primary victory over Bella Abzug in 1976?

I was a Scoop Jackson delegate to the 1976 Democratic convention and a candidate in the Democratic senatorial primary. Jimmy Carter was talking about cutting the defense budget. I ran in New York State saying that the next President was going to have to increase the defense budget, and I would certainly vote for him to do so. At the 1980 convention, I gave the defense speech, saying that we had increased the defense budget in each and every year of the Carter administration. On the other hand, I voted against the last defense bill. I think the decision to deploy the MX missile in Minuteman silos is a fateful decision, a wrong decision, which will put us in a launch-on-warning relationship with the Soviets. The Midgetman would have been a perfectly coherent response to the vulnerability of our Minuteman silos to a first strike.

Many of the old Scoop Jackson Democrats are worried that the Democratic party has become a little too accommodationist toward the Soviets. Do you agree?

When Scoop died, there was a great deal of comment that Scoop Jackson was a very peculiar man, that he believed in a liberal social policy at home and a strong defense. I remarked at the time that if

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ayatollah greatly more despicable than his predecessor.

So we turn to another possible cause for Mr. Moynihan's recent behavior: politics. Among Mr. Moynihan's neoconservative friends, this is a popular rationale for the senator's voting eccentricities. In the 1970s he would punctuate a streak of sensible votes with an egregious deviation—a vote for reverse discrimination or wasteful social spending. "I can't vote with you guys all the time," he would tell his neoconservative associates. And they professed an appreciation of Mr. Moynihan's political obligations; this, after all, was a sign of realism in ideology. The neos were not doctrinaire like the Neanderthal Right; they were realists.

Actually, Mr. Moynihan is a remarkably savvy pol. Although he pooh-poohed suggestions that his anti-UN comments were fuel for launching his Senate campaign, when he did run in 1976, he concocted his own campaign slogan, "He spoke up for America. He'll speak up for New York." So he translated popular sentiment into political capital very well. Mr. Moynihan showed that a faculty member could be a demagogue, too, when President Reagan considered measures to rescue a Social Security system going broke. Yes, the man you saw on television accusing the President of abandoning the elderly, beating his breast in rage and righteous indignation, was Daniel Patrick Moynihan. Again, this translated into political support from a lot of frightened New York octogenarians. And Mr. Moynihan passed the extreme versatility test of politics when he sponsored three contradictory arms proposals in the Senate: the Kennedy-Hatfield nuclear freeze resolution, the administration's counterproposal introduced by Senators Henry Jackson and John Warner, and the "build-down" resolution devised by Senators Sam Nunn and William Cohen. This way pacifists, moderates, and hawks could all feel represented.

Mr. Moynihan's most recent array of leftist positions can be seen in the context of the liberal but bitterly divided Democratic party milieu in New York. These divisions have been expensive for the party in the past. In 1970 conservative Jim Buckley was elected senator because Richard Ottinger and Charles Goodell split the liberal majority vote. In 1980 Alfonse D'Amato became senator the same way: Elizabeth Holtzman and Jacob Javits halved the liberal vote between them, giving Mr. D'Amato a slender majority. So Senator Moynihan is eager to avoid similar partitions that could turn New York over to the Republicans. He also realizes that he is invulnerable from the Right in a liberal state like New York. His only threat comes from the left flank of the Democratic party.

In 1976 Mr. Moynihan was challenged for the Democratic nomination by the hideous Bella Abzug, who circulated fliers picturing Mr. Moynihan with Mr. Nixon and tried to paint him as a Jim Buckley in Democratic garb. Only when Governor Hugh Carey pleaded before the Liberal Party Policy Committee did Mr. Moynihan garner the endorsement. Mr. Moynihan squeaked by Ms. Abzug and other Democratic rivals Ramsey Clark and Paul O'Dwyer; he had no trouble trouncing the incumbent Buckley in the general election. In 1982 Mr. Moynihan panicked at the possibility of another liberal challenge, from Carol Bellamy or Elizabeth Holtzman, so he began to eulogize the embalmed Equal Rights Amend-

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it comes to be seen as an anomaly for a Democrat to believe in a tough foreign policy, the Democrats would become a minority party.

You recently endorsed Walter Mondale for President. Mondale supports a 3 percent increase in the defense bill, but his record has systematically been against defense appropriations.

He has been a man of his times, and I think he has changed his mind. The debate on that is past. Whether you are going to increase defense spending is no longer an issue. The question now is about the range. You have people saying they're for 3 percent, or 4 percent, or 5 percent. That's a very different order of debate from a few years ago, when candidates said they would cut defense by a quarter.

How has Jeane Kirkpatrick been doing at the UN?

Fine.

Fritz Mondale has said he would fire President Reagan's appointments to the Civil Rights Commission, including Morris Abram, a close supporter of yours, and Linda Chavez, former aide to American Federation of Teachers head Al Shanker.

I think it might be better to say that I am a close supporter of Morris Abram. I introduced him to the Judiciary Committee, and I sure as hell wouldn't fire him. I have never met Miss Chavez.

How do you see the principles of the new Civil Rights Commission as opposed to those of the old one?

I don't yet have a very strong view. Perhaps I could answer better in a year when I've seen what they do. Surely, there's a distinction between a civil right and a socially desirable outcome. I have a civil right to free speech. I do not have a civil right to an automobile. It would no doubt be a good thing to have one, but it is not part of the fabric of citizenship. We want to keep the number of rights in our society pretty well confined, in order to keep an eye on them and see to it they are in fact enforced.

Do you think minority groups should have affirmative action programs?

You're damned right I do. I helped draft Lyndon Johnson's executive order.

The National Association for the Advancement of Colored People, the National Urban League, and other civil rights groups are now very concerned about the collapse of the black family, which is much worse than when you were writing about it in 1965. What have we learned about welfare policy, and government policy in general, as it relates to the black family?

The subject is evidently no more advanced than when I was writing about it. I would like to think the new interest you mentioned is

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ment and condemn the Moral Majority. He needn't have worried; he had only nuisance opposition in 1982 and won reelection in a landslide. The fact that the National Conservative Political Action Committee (NCPAC) aired television ads calling him "the most liberal United States senator" only helped him in his reelection bid.

According to sources close to Mr. Moynihan, the senator and his adviser Tim Russert (now working for Governor Cuomo) made a strategic choice in 1982 to move Mr. Moynihan leftward to preempt a liberal challenge from within the party. Mr. Russert is described as Mr. Moynihan's Rasputin—"non-ideological, media-savvy, one of the brilliant political operatives of his generation." Mr. Russert was eager to conserve not just Mr. Moynihan's strong position in the Democratic party but also to improve his standing with the mainstream media. Mr. Moynihan himself has cultivated numerous friendships with journalists like Joseph Kraft, Mary McGrory, and Richard Strout, and he is "more concerned about what the *New York Times* says about him than any other politician," in the words of a former associate. Over the years Mr. Moynihan has set records for trying to influence articles about him, even in scholarly publications like *Daedalus,* and phoning editors to complain about misquotations. In fact Penn Kemble of the Coalition for a Democratic Majority, who worked for Mr. Moynihan from 1976 to 1979, says media coverage of Mr. Moynihan is crucial to understanding his supposed leftward shift. "The press may be eager to show an erosion of support for hard-line foreign policy by citing Senator Moynihan," Mr. Kemble told me. "You have to be wary of the press and the perceptionologists. I heard Mr. Moynihan in January speak before the CDM, and he seemed to me to be pretty hard-nosed." Mr. Kemble warns, probably correctly, that "just when you begin to say he's jumped off the ship, Pat will turn around and do something that puts him back at the helm of the anti-Communist movement."

One final explanation for Mr. Moynihan's recent votes is that he is "in an oppositional mode," as one neoconservative puts it: He is at his most articulate when he is zapping the regnant administration, bucking the *Zeitgeist,* being outrageous. From his black family report to his comments about the UN to his attacks on liberalism throughout the 1970s to his current criticism of the Reagan administration, Mr. Moynihan has found that he becomes the center of attention when he is being countercyclical, a maverick. That is why he is needling the Reagan administration so much. Possibly Mr. Moynihan would sober up in the event of a Mondale presidency in 1984. But not if, as neoconservatives argue, Mr. Moynihan has his eye on the vice-presidential nomination or a cabinet appointment in a Democratic administration. It would seem that he does—why else would he persist in his liberal voting after winning reelection in 1982? "I expected Pat to give up his political posturing around November 10, 1982," says a neoconservative associate. "I could not believe he was persisting in this stuff. He doesn't believe a word of it. Then I remembered the vice-presidency in 1984. It's not inconceivable for Pat to get the nomination, but it isn't likely." It is the unanimous feeling of neoconservatives that, whatever Mr. Moynihan's political ambition, his present political posturing is a very poor strategy to achieve it.

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going to produce some ideas and data.

One idea that has been suggested is the possibility that welfare payments have debilitating effects on the families of their recipients.

I don't know if it's true or not. People who say that wouldn't know a social science datum from a totem pole. I have been saying for 20 years that there isn't 5 cents' worth of evidence either way.

You are entering your eighth year in the Senate. What are your proudest accomplishments?

The most important, I suppose, is the role I played in putting together the Social Security legislation last spring. This has been the single most important domestic program of the federal government, and Democrats have a special responsibility for it. Social Security touches everybody—and does so in the most profound way. It came as a great shock to me to learn from surveys that the majority of the American people didn't think they were ever going to receive their Social Security benefits. If ever there were an issue that gets to the question of trust in government, this was it. Well, the Social Security system is now in good order. Unless we have some sharp, awful recession in the next four to five years, it will soon go into a very strong surplus lasting until the year 2013.

Secondly, I think I established the proposition that a liberal but hopefully rational Democrat can win his own party's primaries and go on to win a general election in New York. We are not as much a Democratic state as some may think. The New York legislature has been Democratic for only four years in the 20th century. I was the first Democratic senator reelected after serving a full term since Robert F. Wagner, Sr., in 1944. I won by the largest majority in a contested midterm election in the history of the United States Senate. I would think that argues for the viability of a certain kind of politics.

In my seven years on the Intelligence Committee—I am now the vice-chairman—I think we have put the intelligence community back in solid condition. In 1977 it was a pretty battered set of institutions. Now morale seems good. The budget has increased every year since 1977, after having been run down steadily from 1964 on (partly out of a decision to rely more on technical means of collection). I think I have also had some success in making New Yorkers pay more attention to the largest single economic problem the state has—its serious imbalance of payments with the federal fisc.

(Conducted by Dinesh D'Souza and Adam Meyerson, editor of Policy Review, *in early February.)*

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Among the Miskitos

Bluefields, Nicaragua, under the Sandinista Harrow

Joan Frawley

From my window seat on the small Aeronica plane, I caught my first glimpse of the land of the Miskito Indians, or Mosquitia, as the British colonialists termed it during the mid-19th century. The dark blue Atlantic rimmed the edge of Bluefields, the regional capital. Somewhere beyond the coast, a turquoise sea washed up against the pristine beaches of Corn Island, where Nicaraguans honeymooned. Now, the summer's seasonal rains kept most tourists away and turned the area's swampy lowlands into muddy, insect-infested territory. West, away from the ocean, lay the dense Nicaraguan jungle and the Escondido River on which the locals traveled to the city of Rama and then overland to the rich towns of the Pacific: Managua, Leon, and Grenada.

Curiosity about postrevolutionary life in the land of the Miskito drew me to the country's isolated eastern coast. Since an earlier trip to Managua for the papal visit, I had become fascinated by the gap between the official truth of the Sandinista propagandists and the actual facts of life in an increasingly totalitarian system. I suspected that the Sandinista line would clash even more with the facts in a place like Bluefields. There the conflict between the new regime and the indigenous peoples became so violent during 1980–1982 that a year later the Sandinista leadership was still offering apologies and reinterpretations.

The human rights violations against the Indian and black population were serious and overt. Even Tomás Borge, minister of the interior, admitted that the forced evacuations, the three-day marches of 10,000 to relocation camps, the burning of crops and villages, the imprisonment of tribal elders, and the closing of churches constituted a "mistake."

Government officials rationalized the relocation program as a security precaution to protect noncombatants in the military zone near the Honduran border. Tomás Borge assured visiting human rights groups that the attendant problems of the relocation effort had been rectified. Today, he said, the coastal people flowered under the enlightened policies of a government humble enough to admit it stood on feet of clay.

The reports of some missionaries and Nicaraguan human rights activists based in the area, however, conflicted with Mr. Borge's testimony. They told of the continuing exodus of almost 20,000 Miskitos, Sumos, and Ramas across the Honduran border and of increased resistance among relocation camp occupants. Some activists insisted the purpose of the relocation camps was to provide a source of cheap labor for the state's coffee, sugar, and palm oil plantations in the area. Others said the camps simply served as a holding pen to limit the flow of recruits to the anti-Sandinista insurgents.

Bishop Salvador Schlaefer, spiritual leader of the Catholics in the province of Zelaya, which spans the eastern half of Nicaragua and skirts the Honduran border, told me of the violation of religious liberty at the camps and the Indians' desire to recover their ancestral lands.

But life for the Indians was little better in Managua, where refugees who did not languish in the city's jails or *granjas* (prison farms for subversives) were often stopped and questioned by the local police. Those tried with a pretense of fairness at the popular tribunals were all found guilty. Some drifted through the capital city seeking employment but seemed unable to put down roots in the alien world of the Pacific.

After I arrived in Bluefields, I dropped my bag at the Hotel Dorado in the center of town and headed out for an interview with Padre Francisco "Chico" Solano, a Roman Catholic priest who served as administrator for the Bluefields diocese.

Among the Indians and blacks, religious leaders were traditional spokesmen and often members of the tribal government. But human rights activists in Managua cautioned me that most church leaders not imprisoned or forced into exile had been co-opted by the government: Pastors were forced to promote Sandinista principles and programs or risk further repression and bloodshed. I wanted to see whether the Protestant, Anglican, and Catholic leaders in the town kept to their uneasy truce with the regime and maintained a silence about con-

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Photos: Joan Frawley

tinued government repression. I also wanted to see how many of their people swallowed the new line of peaceful coexistence with a system that had brought little but death and destruction to the Atlantic Coast.

As I walked uphill on cobblestone streets to Padre Solano's offices, the former British colony's brightly colored buildings and its smell of the sea, fresh fish, and open sewage reminded me of a Cornish fishing village, Third World–style. Most of the bar, restaurant, and store signs were in English. The blacks and lighter-skinned Indian residents who gathered on the street corners spoke in Miskito, West Indian–accented English, or Spanish. There was little sense of the more formal Spanish heritage and revolutionary discipline that constrained public life in Managua. There were few Sandinista troops on the streets, though I knew they regularly picked up suspected subversives accused of gunrunning or recruiting for the insurgents who fought a day's journey away at the border. The closest relocation camp was three hours by boat from Bluefields.

Poverty Prevails

The poverty was more overt here than in the towns of the Pacific. Children played in open sewers. Crumbling homes and shanty towns appeared to be the only remnants of the once-proud Miskito kingdom that had been ravaged by the 16th-century Central American slave trade and the 17th-century Caribbean pirates and then, in the 18th century, embraced by the British Empire, which imparted its language and its Anglican faith.

Since the turn of the century, Catholic and Protestant missionaries, especially Moravian pastors, had made converts among the residents. But the coast remained isolated from political and commercial life in the rest of Nicaragua until the Sandinista revolution, and then the people wished they had been left alone.

Padre Solano, a thin, sallow-faced Roman Catholic priest, met me at the reception desk of the church building and led me upstairs to his study, where he prepared strong sweet coffee and explained the Indians' traditional problems with the power brokers in Managua. Born in Indiana, Padre Solano became a Nicaraguan citizen in 1979, the year of the Sandinista revolution, and was known to be one of the few genuine adherents to the party's agenda.

Since the English first used the Miskitos to stop the Spanish penetration of Nicaragua's eastern corridor, Padre Solano told me, the people have thought of their Spanish-speaking countrymen as enemies. "They even call the mestizos, people of mixed Spanish and Indian blood, Españols, which indicates an attitude of hostility." He described the traditional Miskito passion play in which Mary, Joseph, and the shepherds speak in Miskito while Pilate and the high priests speak in Spanish. Padre Solano believed the Indians' long-time hostility for their countrymen near the Pacific was responsible for the present conflict with the new regime, not interference by Marxist ideologues from Managua and Cuba.

With enthusiasm, the priest noted the Sandinistas' efforts to restore the site of the Miskito kingdom palace, destroyed by government troops in the early part of the century. The restoration project symbolized the sincerity of the government's rapprochement with the indigenous peoples.

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What Padre Solano did not explain in his account of the Indians' relations with the politicians in Managua was that broad-based repression against the coastal peoples was introduced with the consolidation of the Sandinista revolution throughout the country. The Indians disliked the late dictator, Anastasio Somoza Debayle, but they much preferred Somoza's indifference to the Sandinistas' interference.

Before I spoke with any other religious leaders, I wanted to understand the position of the local Sandinista comandante. I asked Padre Solano to arrange an interview. The speed with which he was able to set up the appointment underscored his close ties to the Sandinista authorities.

Revolutionary Credentials

The priest told me most of the local government people now came from the indigenous population—a skillful, if tardy, public-relations effort by the Sandinistas, who had reassigned the previous Cuban administrators to a less conspicuous role. But I also heard that the talent search turned up only a few candidates with suitable qualifications. The Sandinistas attracted just a handful of the residents in the years before the revolution. Now, the politically ambitious scrambled to present their revolutionary credentials to the party—if they didn't mind being shunned by their neighbors.

Portraits of Carlos Fonseca, founder of the FSLN, and Sandino, their Latin faces stern with fervor and purpose, decorated the outer office of the local comandante, Thomas Kelley. Posters with the usual revolutionary slogans, "All Arms to the People" and "Sandino Lives in the People's Fight for Peace," were thumbtacked on the walls.

Thomas Kelley, a man with the thick Indian features of his Miskito mother, presented the correct demeanor of a young party bureaucrat. Like most Sandinista officials, he radiated sincerity. He looked straight into the eyes of his audience. He brought forth reams of charts and statistics that supported the regime's objectives of increased productivity and social justice. He demonstrated a unique brand of sincerity when he revealed his own superficial party credentials.

I asked him when he joined the Sandinistas, and he replied, "We participated in the struggle against Somoza, but not as Sandinistas." He tilted his bulky frame forward across his desk, his eyes never leaving my face. "I've been working with the revolution, but I am not technically a Sandinista. I am, however, aspiring to be a militant in the party."

Mr. Kelley told me that community development, not political ideology, stood as his first priority as leader of the municipal junta. "Political work has been almost abandoned now," he said, his brow furrowed. "People don't want to hear more promises. They want to see concrete things, to see the Atlantic Coast developed so there is no contradiction between the Atlantic and the Pacific Coast."

The rehabilitation of the local fishing industry, crippled by the lack of spare parts and the theft of boats by counterrevolutionaries, constituted the government's major goal. To aid this effort, the regime sought to construct a port in Bluefields. Mr. Kelley requested that I join him on an inspection of a nationalized seafood plant across the bay. Afterwards, he wanted to take me to dinner to explain further the importance of the port and to disclaim certain misinformation, generated by the CIA, which suggested the port would be used as a Soviet naval base.

I asked Comandante Kelley why so many Soviets, Bulgarians, and Cubans contributed to the construction of the port if, indeed, its purpose was commercial and not military. Surely, the Nicaraguans could build the port without the help of Soviet Bloc personnel. The comandante cleared his throat, and his eyes darted away from my face and rested on a portrait of Sandino. Then he explained that the Soviets and Cubans offered fraternal assistance in the construction of the port; their motives were altruistic. He promised to answer any further questions on the construction of the port when he took me out for a lobster dinner that evening.

Padre Solano also directed me to the convent of Franciscan Roman Catholic nuns situated across the street from the local hospital. There I met Sister Marta Elena Bustamanti, a short, sturdy Colombian, and Sister Beatrice, a spare, wiry woman and long-time missionary nurse from Providence, Rhode Island. Both women were stationed in Bluefields after the revolution. The sisters arranged for me to attend Sister Marta's community organizing group later in the evening. Meanwhile, I agreed to accompany Sister Beatrice on her rounds in the poor barrios on the edge of town.

Sandinista Serenity

As we walked north and picked our way over the broken cobblestones in the fading twilight, the sound of laughter and American pop tunes drifted toward us from bars and homes. The barrio we visited on the northern edge of the bay, with its narrow boats, homes on stilts, and bare poverty, could have been in the Philippines or Thailand. Children sat on the wooden boards that served as rudimentary bridges between homes. Two little girls played in the mounds of oyster shells that their family shucked for a living. Women and older children on the front porches greeted Sister Beatrice warmly. We walked to the edge of the bay to a house four feet above the marsh, accessible only by a wooden plank that rested on the edge of the front porch.

On the porch, two young men bent over a machine that polished the tortoiseshell jewelry they fashioned for a living. A young grandmother ushered us into the house, furnished with a few stools. A pot hung over an open fire. In the sleeping quarters adjacent to the room, a large sheet was slung over a rope. Small mattresses lay on the floor. The grandmother stood near the open fire, a baby at her breast. The baby began to cough.

"I don't have enough milk for him," the woman admitted. Then Sister Beatrice explained that in the wake of the revolution there was a shortage of milk, among other food products. The baby's weight had to drop below a certain point before he was eligible to receive the milk ration distributed by the government.

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The Sandinistas often maintained that the people the revolution helped most were the poorest of the poor. I asked the woman whether her life had improved since the revolution. She shook her head. "It is harder to get food," and then she looked down at her bare, swollen feet. "I can't find shoes I can afford now. Everything is harder."

As we walked back to town and headed in the direction of Sister Marta's meeting in a private home, I asked Sister Beatrice whether the people readily accepted the government's sponsorship of community projects. She shook her head. "Most refuse to get involved in the most basic things because they don't want government interference. Of course, all the projects here are sponsored by the Sandinistas. So if they want to do something, they can't avoid the government."

Dynamic Community Development

Sister Beatrice and I arrived at the home of a local matriarch to find Sister Marta leading a discussion on the dynamics of community development. From their circle of chairs, the participants, mostly women and teen-age girls, eyed me with caution until Sister Marta explained I was an American reporter; then their faces broke into smiles.

At the nun's prompting, the woman of the house began a story of a dry well that needed to be cleared. No one wanted to help clear it, she recalled. Finally, the well's owner had said that only those who cleared it could use it. "That was our fault," the woman concluded. "Next time we will have to help."

When no one else volunteered with another example of the necessity of cooperation, the matriarch's teen-age daughter told a story about fixing a sidewalk with her neighbors. She and her neighbors were happy that they had worked together to fix the sidewalk; however, a block away the people did not fix their cracked sidewalk. Instead, "they just sat back and crossed their arms. It takes cooperation," she concluded, and looked to Sister Marta for approval.

A couple, laughing and holding hands, passed by the open door to the street, and the group's attention turned to them. Patiently, Sister Marta surveyed her distracted audience. "Why don't things get done?" she asked rhetorically and passed the Bible to the matriarch's daughter. The girl read an Epistle of St. Paul on the need for the different parts of the body of Christ to work together. Then Sister Marta asked her audience, "If I won't work with the rest of the body, or the community, what happens?"

The teen-age daughter answered dutifully, "Just like the body needs all its parts to function, so all parts of the community are necessary for it to function well."

A few minutes later, Sister Marta ended the meeting and the participants crowded around my chair asking questions about American life. The matriarch and her daughter, Sister Marta's most attentive pupils, were the first to reach me. They revealed their hope to emigrate to the United States. A sister lived in Brooklyn and they wanted to join her if they could obtain visas. Life was so difficult in Nicaragua now; no one wanted to stay. The Sandinista revolution offered them no future, only more shortages, more controls on their way of life. The daughter of the house and some of her friends accompanied me back to my hotel. She told me of her dislike for the Sandinista political activities that the townspeople were required to attend. Her friends said little and seemed content just to think of me as a link with a golden future in America.

Most of the local church leaders I interviewed supported the regime publicly and repeatedly spoke of its sincere efforts to overcome the mistakes of the past. When asked to catalogue the regime's accomplishments, however, few could name anything specific. But they were sure that once the war with the insurgents ended, the accomplishments of the Sandinista revolution would be evident. An undercurrent of tension and fear ran through all my meetings with church spokesmen, for it was their ultimate responsibility to steer their churches on a difficult course between a resumption of outright government repression and a more subtle betrayal of the people's heritage.

Humanitarian Objectives

One Anglican pastor, who offered praise for the Sandinistas' stated humanitarian objectives, admitted in a tense voice that he and his people had no alternative to cooperation with the government. When the pastor left the room to take a phone call, his deacon told me there was a simple reason for the church spokesmen's public support for the regime. "There is no opposition because there is no ability to oppose. You leave your mouth at home," said the deacon in a stage whisper. "The people weren't used to oppression," he continued. "Life wasn't so normal during the Somoza dictatorships, but people had freedom to move in their own direction. There are no rich people on the Atlantic Coast, but they were satisfied not to interfere, not to be interfered with. That way of life now is ended."

Moravian Bishop John Wilson, the leader of the local Moravian church, which boasts the highest membership of Miskitos, repeated the deacon's message in his own words: "If people were to tell the truth, they want to be left alone. But to think of the good old days of the past would be like cutting off the revolution and would result in bloodshed. We must cooperate."

Bishop Wilson's church was hardest hit by the govern-

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ment's efforts to eradicate Indian tribal life. Once, 30,000 Miskitos attended Moravian church services, but since the revolution, those numbers were cut almost in half as the Indians fled for the border or were killed or imprisoned.

Established in Central Europe in the 15th century, the Moravian church affirms most of the doctrines of the Catholic faith, with the exception of papal infallibility. On the Atlantic Coast, Moravian missionaries made converts with the construction of schools and social welfare institutions. With the onset of the literacy campaign in 1980, Moravian leaders criticized the government's promotion of atheistic Marxism and later spoke out against the seizure of tribal lands and the subsequent relocation effort. The church leadership's advocacy on behalf of the Indians resulted in the reported closing of 50 Moravian churches in Zelaya. Outspoken pastors were imprisoned or forced into exile. Some now lived with the insurgents in Honduras.

When I arranged to meet with Bishop Wilson, I wanted to test the credibility of the new friendship between the government and the Moravian church. I also wanted to understand the events that led to repression of church leaders and their people.

Ambivalence

Bishop Wilson received me in his shabby living room and led me to his study. Like most of his flock, he is part Miskito. For Bishop Wilson, the roots of the conflict between the Indians and the state are grounded in two incidents. First, the 1980 anti-Cuban demonstration that sparked imprisonment of local Indian leaders. Second, the subsequent repression of the fledgling Indian political movement, the Misurasata (whose leaders now fight the Sandinistas from the Honduran border).

A movement that expressed the Indians' search for justice and equality, the Misurasata ran aground following the government's announcement that Miskito leader Steadman Fagoth had been an informer for Somoza. The government circulated documents that backed up its claim. I asked Bishop Wilson whether many Indians believed the accusations. He shook his head. "Most didn't accept it until they saw the files. Still, they felt he should be pardoned.

"But Steadman had other plans," Bishop Wilson continued. He stared down at his rough hands. "He fled to Honduras. He never should have gone to arms. He has incited the people and they go over the border to fight and end up fighting their own people. The army looks for suspicious people who sustain the contras, and it has brought ill feeling."

More than any other religious leader I interviewed, Bishop Wilson appeared the most ambivalent, the most weary of the constant tension between his restive flock and the Sandinista government. The activities of Indian insurgents caused the regime to retaliate against members of the tribe that remained inside Nicaragua. And Bishop Wilson was there to sweep up the pieces, to console families, to visit prisoners.

Thus the bishop grasped onto the hope that the government was sincere about improving relations with the people. He had recently met with the minister of the interior, Tomás Borge, and he told me of the minister's desire to overcome the government's credibility gap. "The Sandinistas don't insist on Spanish being spoken in the schools now," he noted as evidence of Tomás Borge's good intentions.

But the bishop's brooding manner suggested that the minister's promises were not completely convincing. The burden of responsibility for his people's future weighed heavily with Bishop Wilson. It would be a relief if he could trust Mr. Borge's promises, but something held him back.

I asked Bishop Wilson whether he believed the government's case against Steadman Fagoth. He stared out the window for a moment and then replied, without looking at me: "There were remarks in the documents, including a letter with a reference to me, that I do not think anybody else could know.

"But I told the people, 'It's not the whole truth.' Someday I will find the whole truth. World politics, you see, is a struggle for power. We are the affected ones."

One Last Look

I left Bluefields by boat on the Escondido. After looking through my window at the muddy waters and the jungle beyond, I wandered out of the cabin. Young army troops in olive fatigues sprawled over the railing or sat on coils of rope, smoking cigarettes. Civilian passengers dozed near their plastic bags filled with clothing and food.

I walked over to the railing and began to talk with a middle-aged man. Wrinkles were etched across his Indian features. I asked him whether his life had improved since the revolution. He offered a long and earnest endorsement of Sandinista policies. His life had been improved and given purpose by the revolution. I asked to take his picture and he agreed. Then he offered more examples of the benefits of the revolution—in the same earnest tone but with the same brooding manner as Bishop Wilson's. He was the first ordinary person I met on the coast who supported the revolution, a fact that surprised me until I processed the photograph of him. Then I realized that during the interview, the man had not only myself but also an attentive army officer as his audience. ☎

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Department of Disinformation

Post Haste and Other Bloopers

The Emperor's New Jewels

On January 12, 1984, the American Friends Service Committee, an organization that proclaims its devotion "to the Quaker testimonies of love, integrity, compassion and simplicity," issued a news release charging that "political repression" has been "on the rise" in the English-speaking Caribbean since the U.S. military intervention in Grenada last year. "While there is no overt government censorship of the communications media in Grenada," the press release maintained, "news coverage of important political events is sparse. Indefinite detention without charges and without trial is permitted under Grenadian law and some 35 persons are currently under political detention."

These charges, if substantiated, pale before the violations of human rights and Grenadian national sovereignty under the Cuban-dominated government of Maurice Bishop. Under Bishop, all independent news media were shut down and many of the editors were jailed. Prisons were crowded and filthy and prisoners tortured, often in front of Cubans. Jerry Romaine, a former manager of Radio Grenada, spent four years in the Richmond Hill prison without receiving formal charges. He estimated after his release by U.S. and Caribbean forces that 1,000 Grenadians, 1 percent of the population, were held as political prisoners. This included "politicians, journalists, labor union leaders, government officials, a surprisingly large number of disenchanted members of the ruling New Jewel Movement, and anyone else considered a threat."

Alarmed groups, such as the International Committee of the Red Cross, were denied entry into Grenada by the New Jewel regime. Interestingly, members of AFSC were allowed in. In fact, Kaisha Brown, associate coordinator for the organization's Third World Coalition and one of the authors of the Grenada report, was in Grenada six months prior to the collapse of Bishop's government. It is therefore odd that Ms. Brown and her organization did not feel compelled to report on the human rights situation under Bishop. The explanation perhaps lies with the seized Grenadian documents that have been made public by the U.S. State Department. Among the documents is a report filed by Comrade Ian Jacobs of his U.S. tour last spring to get needed financial and political support for the New Jewel party. During the week of April 3, 1983, Mr. Jacobs met with AFSC in Philadelphia; the organization offered to help him secure a word processor. Then during the week of April 13, 1983, Mr. Jacobs, reporting from Miami, writes:

> I had a meeting with Mr. Aaron Schecter, a wealthy Jew who is very supportive of the Peace Movement. The idea was to get a commitment for a contribution to the Word Processor project. He agreed to contribute [somewhere between U.S. $1,000 and $2,000] if I would get a tax credit organized for him. To do this his contribution would have to go to a tax exempt organization. In this context I spoke to a contact at the American Friends Service Committee in Philadelphia and I intend to follow up with them so that he can send the money to them and then they will send it here.

Toward the end of the report Mr. Jacobs attributes the success of his tour to "some key people and some key organizations." The American Friends Service Committee is among those listed. In addition, AFSC is included in the "network of supporters" who surprised him with their "excellent short notice organizational efforts."

It seems clear from this document that AFSC uncritically supported Maurice Bishop and his party. Given this support, it is very difficult to take seriously AFSC's criticism of the human rights situation in Grenada today.

Esther Wilson

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Post Haste

The busy newspaper reader usually turns to headlines for a quick summary of the day's events and for a signal of where to read further. It is therefore distressing that the *Washington Post,* one of the nation's most influential newspapers, so often injects an editorial bias into its headlines and, as a result, often gives a misleading picture of the world. In each of the following instances, the reader would have learned more about a story from reading the *New York Times* headlines on the same day.

On November 5, 1983, for example, a *Post* headline read, "Seized Grenada Papers Show Disarray." The busy reader would

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have missed the significance of a very important story. He would have gleaned that significance from the *Times* headline on the same day: "U.S. Makes Public Arms Pact It Says Grenadians Made: It Says Treaties with Soviet, Cuba and North Korea Were Valued at $37 Million."

On November 30, 1983, a *Post* headline read, "U.S. Denies Nicaraguan Leader a Visa." One would have had to read several paragraphs into the story to learn that the Reagan administration had denied a visa not only to Tómas Borge, Nicaragua's interior minister, but also to Roberto d'Aubuisson, a right-wing Salvadoran. By contrast, the *Times* headline on the same day told readers, "Salvadoran Rightist and Key Sandinista Are Barred by U.S."

After Jesse Jackson arranged for the release of hostage Lt. Robert Goodman, Jr., from the Syrian government, President Reagan gave credit to Reverend Jackson for his accomplishment and thanked Syrian leader Hafez al-Assad. The January 4, 1984, *Post* headline for this event was "U.S. Navy Flier Goodman Is Freed by Syrians: Reagan Tries to Turn Release to Advantage." In comparison, the *Times* wrote on that same day, "President Thanks the Syrian Leader: He Sees 'Opportune Moment to Put All Issues on Table.' " The *Post* headline in this case was a poke at Mr. Reagan. The *Times* reported better what President Reagan did and said.

Sometimes, of course, it is necessary to read from two papers to get an accurate picture of the facts. On January 18, 1984, a *Post* headline read: "Shultz Hits Soviets in Stockholm: Speech Focuses on 'Cruel' Division of Postwar Europe." The *Times* headline of the same day read: "Shultz, Echoing Reagan, Invites Russians to New Talks with U.S." Both headlines referred to the same speech delivered at the same conference; neither gave a complete picture.

Nancy Long

NANCY LONG *is a member of the* Policy Review *staff.*

Contra Diction

"The remnants of the old Somoza regime—a regime whose corruption, graft, torture, and despotism made it universally despised in Nicaragua." This was how Senator Christopher Dodd, D-Connecticut, described the FDN, one of the leading anti-Sandinista insurgent groups, in the Democratic party's rebuttal to President Reagan's April 23, 1983, televised address on Central America.

Senator Dodd's office, on February 6, 1984, reaffirmed his charge that the FDN (Nicaraguan Democratic Front) is principally "Somocist." But this notion, which has become the rallying cry of many in Congress who want to cut off U.S. aid to the FDN, simply isn't true.

Adolfo Calero, chairman and commander of the FDN, for example, was a lifelong opponent of Somoza and was in fact jailed by Somoza in 1978. Before the Sandinista takeover, Mr. Calero was a prominent businessman in Nicaragua, involved in the hotel and food industries. Mr. Calero supported the Sandinistas in the early stages of the revolution but rejected their form of government once he realized that independent political parties had no place in the new Nicaragua.

Indalecio Rodriguez, another prominent FDN leader, was also an unwavering opponent of the Somoza dynasty. His father was a personal friend of A. C. Sandino, the Nicaraguan nationalist of the 1920s who opposed all foreign presence in Nicaragua, particularly the presence of the United States. Indalecio Rodriguez was a leader in the revolution against Somoza and a founder of the FSLN (Frente Sandinista de Liberacion Nacional). He voluntarily left Nicaragua in 1981 after it became clear that the Soviet- and Cuban-backed Sandinistas were not nationalists but Marxist-Leninists bent on exporting the Communist revolution to neighboring countries, and that they were not interested in setting up democratic institutions.

Another FDN leader, Alfonso Callejas, entered politics in 1965 when he was appointed minister of public works in Dr. Rene Schick's cabinet. He was later in the Somoza cabinet. But he resigned in 1972 in protest of Somoza policies. He moved to Honduras and then returned to Nicaragua in 1979 after the Sandinistas had taken over. The Sandinistas stripped him of his assets and subjected him to an investigation for possible wrongdoing while in the Somoza government. Even though the Sandinista government found him innocent, Mr. Callejas left Nicaragua in December 1980, concluding that the Sandinista regime was far more corrupt than even the Somoza tyranny. He joined the FDN.

According to *Washington Times* reporter Michael Waller, who spent two weeks in FDN camps located in Honduras a few miles from the Nicaraguan border, about 30 percent of the FDN fighting force are former Sandinista soldiers and militiamen. Almost all are poor—peasants and farmers—whose property and crops were confiscated by the state.

Certainly some of the FDN served in the National Guard under Somoza, just as many in the Sandinista army served in the National Guard under Somoza. Any Nicaraguan patriot might well serve in the Nicaraguan army no matter who the government leader is. This doesn't mean the troops necessarily support the current leadership any more than they endorsed Somoza. Surely it is unfair to cut off U.S. aid to the FDN because some of the rank and file served in the Nicaraguan National Guard. That would be a little like abandoning West Germany, in the face of a mounting Soviet threat, because a lot of Germans fought in World War II.

Benjamin Hart

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Civil Rights Affirmation

At a news conference on January 17, 1984, Civil Rights Commissioner Mary Frances Berry charged

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that "the Civil Rights Commission is no longer the conscience of America on civil rights. I despair for women and minorities in this country." Ms. Berry's remarks followed the decision by the Civil Rights Commission to deplore racial quotas, a reversal of its earlier position. However, a reading of the commission's statement shows Ms. Berry's charge to be completely unsubstantiated; there is no reason for anyone opposed to racial discrimination to despair.

The commission was specifically objecting to the Detroit police department's use of a racial quota, with separate promotion lists for black and white officers. The commission commended the city of Detroit for its desire to increase the number of blacks in its police force. In opposing quotas, however, the commission reaffirmed the principle of nondiscrimination.

The commission made clear its view that "enforcement of nondiscrimination law in employment must provide that all of an employer's discriminatory practices cease and that any identifiable individual who has been the direct victim of discrimination be returned [with back pay] to the place he or she would have had in the workforce in the absence of the employer's discrimination."

The commission also endorsed the use of nondiscriminatory affirmative action practices. It encouraged employers to engage in recruiting, training, educational, and counseling efforts that would increase the number of qualified minorities and females available to be hired on the basis of merit rather than race or gender.

But the commission came down squarely against racial quotas, whether used on behalf of blacks or of whites. Such racial preferences, it said, "merely constitute another form of unjustified discrimination, create a new class of victims, and, when used in public employment, offend the Constitutional principle of equal protection of the law for all citizens."

Before we can begin to eliminate the injustices and erase the stigmas that accompany discrimination, we must first stop officially classifying people by their sex or race. The best enforcer of antidiscriminatory practices still resides not within the membership of the Civil Rights Commission, but among a color-blind American populace.

Robert H. Maurer

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The New Temperance Movement

Americans Set Ground Rules for Drinking

Sylvia Danovitch

The stereotypes of the media portray alcoholism at a very advanced stage: the skid-row derelict who has dropped out of society or the psychologically addicted drinker who is totally dependent, out of control, and always craving alcohol. In fact, social dropouts account for only a small portion of the nation's 10 million alcoholics. Most are employed, family-centered people. They drive cars, fly planes, work at high-level white-collar jobs, are members of the military, and otherwise continue to function within society. Their affliction therefore carries not only a personal price but a social and economic one as well.

Alcoholism is the number-three cause of death in this country, after heart disease and cancer, and the life expectancy of alcoholics is 10 to 12 years lower than that of the general public. Too much drinking can lead to pancreatitis, cirrhosis, heart failure, gastritis, ulcers, and neuritis; it has been implicated in the genesis of cancer of the mouth, pharynx, esophagus, and liver. Alcoholism diminishes memory, accuracy, and muscular coordination. During pregnancy, it may impair fetal development and cause mental retardation.

One third to one half of all highway fatalities involve alcohol. One third of all traffic injuries are alcohol related. Alcohol is strongly implicated in death and injury resulting from accidents in the home, in industry, and even in recreational activities. It is also implicated in 44 percent of all civil aviation accidents where the pilot dies, in 69 percent of drownings, and perhaps 83 percent of all fire fatalities. Half of all homicides and more than one third of all suicides are alcohol related. There is evidence that 50 percent of all rapists were drinking prior to their attacks, as were 31 percent of their victims. In other cases of assault, an estimated 72 percent of the offenders and 79 percent of their victims were drinking. A major study found that four out of 10 child-abusing parents have drinking problems.

But statistics do not reveal all the personal costs of alcoholism: the broken homes, the unhappy marriages, the impoverished families, the physical damage to the drinker and, perhaps, to the drinker's offspring. At work the disease can lead to quarrels with coworkers, to sloppy performance and absenteeism, and to negligent handling of dangerous machinery.

Alcoholism is, quite simply, addiction to alcohol—physiological or psychological. There is no single medical definition, but most experts agree that an alcoholic is someone who routinely drinks more than he plans or wants to drink, or whose drinking interferes with his health, his relations with others, or his ability to perform adequately at work.

Alcoholism consultant Betty Ann Weinstein of Bethesda, Maryland, diagnoses as alcoholic someone whose life has become unmanageable and who identifies with three or more of the following: a history of alcoholism in the family; blackouts or memory lapses; more than one charge of driving while intoxicated; tremors or other signs of withdrawal in the morning; an alcohol-related health problem; personality changes—from mild-mannered guy, say, to wife beater—when drinking; and finally, personal concern about drinking too much or concern expressed by a significant other person.

Genetic Disorders

What first sets these people on the road to self-destruction? Since alcoholism seems to be a multifactoral illness, no single explanation suffices. One source of vulnerability may be the individual's biochemistry. Some people can drink without becoming alcoholic; others cannot.

Research has already demonstrated a probable genetic component to alcoholism. Danish and Swedish studies have shown, for example, that the sons of male alcoholics, even if not raised by their alcoholic fathers, are more likely to become alcoholics than the control offspring. Richard L. Veech of the National Institute on Alcohol and David D. Rutstein of Harvard Medical School are working with the hypothesis that in the alcoholic male, ethanol (alcohol) is metabolized along a different pathway, with metabolic results that are different from those seen in nonalcoholic males. In one study 15 of 19 severely alcoholic men produced significant levels of

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Ray Milland in *The Lost Weekend,* Hollywood's 1945 film about a quixotic writer, is "totally dependent, out of control, and always craving alcohol."

the substance in comparison with only one of 22 nonalcoholic males; 2,3 butanediol appears to derive from the metabolism of alcohol, and its presence demonstrates one clear difference between severely alcoholic and nonalcoholic men.

Culture is another factor. Low rates of alcoholism are found in certain ethnic groups with well-established drinking customs. Portugal, for example, has a very high per capita drinking consumption but a low rate of alcoholism. Chinese, Jews, Greeks, and Spaniards also exhibit notably low rates of alcoholism. Among these groups alcohol is usually consumed with meals, and parents offer a consistent example of sobriety.

Alcoholism tends to be high in families or cultures that are ambivalent about drinking. An AA member recalls, for example, that 30 years ago he would hear his Methodist minister rail against alcohol—Satan's drink—and then note that his mother, an abstainer, served beer to his father and his father's buddies at home. The son began drinking for the first time in college, immediately became a heavy drinker, and in a short time was a young alcoholic.

In contrast, the National Institute on Alcohol and Alcohol Abuse reports that "research has shown that children in Italian American and Jewish families are exposed to alcohol at an early age—sometimes as young as 2 or 3 years—but grow up to have the lowest rates of alcoholism of any cultural groups in the United States." Such children grow up in a society where abstinence is socially acceptable but intoxication is not. Drinking carries no moral significance and is certainly not considered a sign of adulthood.

Falling Prey

Cultural, psychological, or biological phenomena may make an individual vulnerable, but specific circumstances must impel him to drink heavily. Such circumstances could be stress experienced repeatedly at work or at home; difficulty dealing with frustration, anxiety, or depression; loneliness; or a sense of inadequacy. Even without an inherited vulnerability, anyone who responds to alcohol by experiencing relief or relaxation is certainly more vulnerable to addiction than a person who experiences unpleasant physical reactions. But if sufficient social compensation exists, even such an individual may overcome any initial unpleasantness and drink heavily. After all, in our society taking and offering drink are associated with hospitality, conviviality, and often with manliness or sophistication.

As the precise cause of alcoholism is unknown, and as alcoholism may be a collection of individual diseases, treatment remains empiric. There are three principal approaches—medical, psychological, and sociocultural—although most programs to aid the alcoholic employ a combination.

The first step of any treatment program is usually

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Burt Lancaster, the mild-mannered but alcoholic chiropractor in *Come Back Little Sheba,* grabs a knife and menaces his wife (Shirley Booth) after polishing off a bottle of liquor.

detoxification. As the name implies, this is the procedure that removes all alcohol from the body—so-called drying out. Drugs are usually needed to combat complicated and life-threatening withdrawal reactions like hallucinations, seizures, and disorientation. (In some instances personal support and close monitoring suffice.)

Drugs are also used to treat alcoholics whose addiction is the result not of craving for alcohol but of an effort to combat an affective disorder, such as depression or anxiety. In such cases it is assumed that the alcoholic was drinking as a form of self-medication. Antidepressant or antianxiety drugs are used to wean such a patient off alcohol, and some form of psychotherapy is undertaken to help him confront his underlying problem.

A third medical approach involves the use of disulfiram (Antabuse). This drug prevents the normal metabolism of alcohol and results in one or more of the following reactions to alcohol: nausea, vomiting, sweating, or difficulty breathing. The assumption here is that Antabuse requires the alcoholic to make only one tough decision each day—to take the drug. Thereafter, he is dissuaded from drinking by the painful reactions he experiences. Antabuse therapy would be used not alone but in combination with psychotherapy, group support, or other treatment.

The psychological approach to alcoholism runs the gamut: psychoanalysis; individual, family, or group therapy; psychodrama; behavior modification. A behavioral approach might try to teach an alcoholic to recognize the physical symptoms of an elevated blood alcohol level so that he knows to stop before he becomes intoxicated. Or it might teach relaxation techniques or how to deal with frustration.

The idea behind behavior modification is that some alcoholics lack important knowledge or skills. Teach them to gauge their alcohol intake and they will stop drinking excessively; teach them to cope and they will start coping and stop drinking. The other psychological approaches regard alcoholism as the result of unresolved emotional problems that must be confronted if the alcoholic is to maintain sobriety.

The sociocultural approach locates the source of an alcoholic's drinking in his environment, or at least regards the environment as a contributing factor. Residential treatment programs, which usually institutionalize patients for a month or more, employ this approach in its most intensive form by removing the alcoholic from his environment for treatment.

For a number of years since 1956, when the American Medical Association first declared alcoholism a disease, treatment programs were often designed to meet insurance reimbursement criteria; hence the preference for medical, residential programs.

This is changing now as private insurance companies, employers, and the federal government have expanded benefits to include nonmedical facilities and outpatient treatment, and as the search for effective but less costly methods continues.

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Residential programs are not the only way to alter the alcoholic's environment. Alcoholics Anonymous, one of the oldest and best-known treatment programs, also uses the sociocultural approach. Since its founding in 1935 by two alcoholics—former New York stockbroker Bill Wilson and Akron, Ohio, surgeon Bob Smith—it has achieved an impressive record of helping its members conquer their drinking problem by providing them with a new set of friends who serve as a support group, a set of attainable goals that often includes helping others achieve and maintain sobriety, and a new ideology of abstinence. Alcoholics Anonymous forces its members to admit that they are alcoholics and to recognize that only by accepting outside intervention and turning themselves over to a higher power can they regain some control over their lives. It also encourages them to remember what life was like when they drank.

Although some AA members have maintained an anti-professional posture, arguing that only an alcoholic can treat an alcoholic, professionals give the group high marks and often include attendance of AA meetings in their own prescriptions. The KOLMAC Clinic in suburban Washington, D.C., for example, concludes its program by 8 in the evening so that patients may attend 8:30 p.m. AA meetings. KOLMAC offers intensive therapy to alcoholics who are still functioning members of society—hence its evening hours.

A new patient at KOLMAC starts by undergoing medical detoxification if indicated. Thereafter he is placed on Antabuse, administered at the clinic. Anyone who for medical reasons cannot use Antabuse must submit to routine breath or urine testing for alcohol. Participants go five nights a week for the first three weeks, then four nights a week for one week, and three nights a week for several weeks thereafter. During this intensive period, patients participate each night in group therapy sessions, receive individual therapy, and take part in psychodrama (role playing); twice weekly they receive family counseling. In spite of such a full program, they are encouraged to attend AA meetings.

After patients complete the intensive phase at KOLMAC, they are encouraged to continue therapy once a week for another 16 months and are still urged to participate in AA.

One of the most interesting developments in alcoholism treatment has occurred in private industry and in government. Using a variety of approaches, Employee Assistance Programs (EAPs) are governed by a philosophy that confutes the once-popular notion that an alcoholic must hit bottom before he or she will be motivated to accept treatment.

In a recent article in *Association Management* magazine, the following advice is given: "If you notice an employee with the classic physical symptoms of alcohol addiction, such as bloodshot eyes and hand tremors, he or she is in an advanced stage of alcoholism. It will be difficult to rehabilitate this drinker." Action is recommended as soon as any of the following signs are noted:

- Questionable or above-average absenteeism.
- Arriving late or leaving work early as a matter of habit.
- Long lunch hours, long breaks.
- Irritability or other personality changes.
- Financial problems.
- Decreased efficiency.
- Interpersonal difficulties at work.
- Nonattendance at meetings.
- Avoidance of supervisors or of fellow employees.

These symptoms indicate that an employee is experiencing personal problems that need not stem from alcoholism. But employee assistance programs use deteriorating work performance as an excuse for intervention and therefore will always uncover more than alcoholics. Everyone targeted is offered counseling; only alcoholics must enter treatment or face disciplinary action.

Donald A. Phillips, president of the Center for Occupational Programs for Employees (COPE) in Washington, D.C., says that the recovery rate for alcoholics referred to treatment programs (regardless of the treatment approach) by employers is 75 percent. This is double the rate when no job is at risk. Exactly why this is so is debatable. Some speculate that alcoholics, ever eager to protect their drinking, initially cooperate to save their jobs and thus their liquor-buying power. Others feel that the job threat is effective because a job sustains an alcoholic's denial that he is sick; sick people can't work. It may simply be that outside intervention works best when the alcoholic still has something to lose and, as in all diseases, before destruction is too extensive for a treatment to work.

There was, and continues to be, an expectation on the part of self-help groups and others working in the field that official recognition of alcoholism as a disease should erase the moral stigma long associated with the condition and prompt more alcoholics to accept treatment. "It's much harder to say, 'I'm bad and want to be good,' than it is to say, 'I'm sick and want to get well,' " one AA member explains.

Yet figures do not show a radical increase in self-acknowledgment of alcoholism. According to most estimates, only 15 percent of the nation's alcoholics are being treated. And most have not voluntarily sought help. They are in treatment because of the social consequences of their drinking, such as drunk-driving arrests or workplace detection and the threat of dismissal, or

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because of medical symptoms attributable to alcoholism.

Probably the single most important reason why alcoholics do not seek treatment is the same now as it was before the AMA declared alcoholism a disease: Alcoholics deny their own illness. Physicians who treat such patients find denial the one universally shared characteristic: " 'I drink heavily but I'm not an alcoholic' is how they invariably respond to medical confrontation," one specialist in the field comments.

Denial is not unique to alcoholics. There are people with cancer who ignore its symptoms, but there are also people without cancer who are worried by symptoms that they mistake for cancer, become concerned, and voluntarily seek confirmation (or refutation) and treatment. This is not the case with alcoholism. Mere acceptance of the diagnosis, to say nothing of undergoing treatment, are signs of the recovery process.

Submitting to treatment for alcoholism usually requires one or more of five so-called triggers: a personal crisis; a threat to a valued social activity; an outsider's telling the alcoholic he needs treatment; easily recognized consequences of not getting treatment; and psychic or physical pain that is impossible to ignore. The threat of firing satisfies all these criteria and may thus explain the apparent success of Employee Assistance Programs, despite the variety of treatment approaches and settings.

Similarly, recent strong measures against drunk driving may catapult a number of alcoholics into treatment for the same reasons: an external threat (loss of a driver's license or imprisonment), an outsider's intervention (law enforcement authorities), and an imperative to enter treatment.

The current publicity about alcoholism is a new—and surprising—development. After all, alcohol is an ancient substance and one of our oldest mood-altering drugs. And if alcohol is not new, neither is its abuse. The Old Testament story of Ham is an indictment of drunkenness as a cause of incest. Temperance tracts written in ancient Egypt, Greece, and Rome all warn of the consequences of drinking too much. Ensuring moderation has long been a problem in America: Colonial Virginia passed laws both to encourage the production of wine and spirits and to punish their excessive use.

A decade or more of government leadership combined with many decades of private initiative have now made alcoholism a household word in the United States. The public is alert to the problem; treatment is available; research in the field is moving forward. One physician who spent more than 20 years specializing in the treatment of alcoholics notes that his referrals once came exclusively from AA. Today the majority come from other physicians or from employers. Similarly, AA membership is expanding astronomically as people are referred by traffic officers and EAPs.

Perhaps the next move should be in the direction of the entertainment and advertising media, which at present offer false and seductive images of drinking. In the media drinking is associated with wealth, virility, and courage. In real life, if done in excess, it is a threat to financial security, it is a cause of impotence, and it turns a person inward.

False images force out realistic ones and help defeat the current efforts of celebrities, recovered alcoholics, to tell it like it was. This is one of the reasons that Alcoholics Anonymous encourages its members to return to meetings periodically: so that memory does not blur the hell they once experienced.

Without witnessing firsthand the odyssey of a drinker, it is practically impossible to imagine the physical consequences of alcoholism. Although there have been some fine attempts to portray the illness in various films, most dramas focus on extremes and are therefore too comforting.

Thus as the alcoholic writer in *Lost Weekend,* Ray Milland is charming but hopelessly grandiose—"I'm Shakespeare," he declares after drinking. He also shows no signs of understanding the consequences of his actions—"I'm on a merry-go-round," he says, "and I'm going to ride it all the way until that blasted music dies down." The comfort comes in knowing that the alcoholic is nothing like you.

But the so-called alcoholic personality does not precede the illness; it is one of the consequences.

Moral Neutrality

Even when the media do portray someone in the advanced stages of alcoholism, the focus is almost always on the social and psychological consequences, which are also difficult to identify with. Rarely do we see someone after a drinking spree lying in a hospital bed, swollen, jaundiced, and coughing up blood. That doesn't make good viewing.

Likewise, alcohol advertising stresses glamour, not reality. Each year more than a billion dollars of advertising encourages alcohol consumption as part of the good life; much of it is focused on young people. The importance of this campaign is readily grasped given the estimated number of young problem drinkers in the United States—3.3 million.

The National Council on Alcoholism has called for the voluntary elimination of misleading and inappropriate advertising, plus stricter enforcement of false advertising laws as they pertain to alcohol. Its targets: the use of young people and former athletes in ads for alcoholic beverages, the depiction of people engaging in sports or risky situations while drinking, advertisements implying that sexual, business, or social success comes to those who drink.

After Prohibition failed as miserably as the 19th-century temperance movement that preceded it, America shifted to a morally neutral approach to drinking and began laying some ground rules. One is that people who wish to drink may not drive. Another: Once drinking interferes with work, whether in the public sector or the private, it is no longer a personal matter.

These ground rules, enacted by pressure from groups like MADD and SADD (Mothers and Students Against Drunk Drivers) and the various workplace counseling services, have awakened Americans to the social and economic consequences of too much drinking. The message is that alcohol can be enjoyed, but unless handled with care, it often leads to tragedy. ☎

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The Social Security Hot Potato

Could Ronald Reagan Have Handled It Better?

Robert W. Merry

When Ronald Reagan took office in 1981, the Social Security system was heading for a crash. The trust funds for old age, survivors', and disability insurance (OASDI) had dwindled to a mere 18 percent of annual expenditures, down from 41 percent in 1977 and 105 percent in 1971. OASDI expenditures had risen from $89 billion in 1977 to $145 billion in 1981, not only because the number of beneficiaries kept rising but also because benefits were indexed to an overstated consumer price index. Meanwhile, unexpectedly high unemployment was depleting contributions into the trust funds. Within three years, it was widely predicted, the old age, survivors', and disability trust funds would be insolvent, unable to meet their obligations.

Two years and two months into Ronald Reagan's presidency, during the wee hours of March 25, 1983, Congress finally approved a bill designed to save Social Security from disaster. Most members pronounced themselves successful in averting the immediate crisis and ensuring the system's solvency well into the 21st century. The President, to all outward appearances satisfied as well, signed the bill in April.

The nation has seen Social Security rescued before. The whopping payroll tax increases signed into law by Jimmy Carter in 1977—among the largest tax hikes in our nation's history—were also supposed to have ensured the long-run solvency of Social Security, yet within three years, the system was once more in crisis.

Looming Ruin

The financial health of Social Security is still uncertain. The 1983 charges will keep the system solvent as long as generally optimistic economic assumptions hold true—over 4 percent average annual growth of gross national product in real terms, and an average unemployment rate of under 6 percent. However, the Congressional Research Service of the Library of Congress has suggested that the bill's "margin of safety" is "thin" under middle-range economic assumptions and "very thin under pessimistic assumptions."

The 1983 legislation failed to deal adequately with the single most important contributor to the crisis: the skyrocketing growth of benefit payments. During the 1970s benefits shot up 250 percent, compared with 122 percent for pretax wages and 136 percent for consumer prices. A new retiree in January 1982 who had reached age 65 and earned average wages for 45 years would have consumed in benefits his entire lifetime contribution within 13 months. If he had a nonworking spouse, his entire contribution would be absorbed within nine months.

The 1983 bill also avoided coming to grips with the looming financial ruin of the system's hospital insurance fund, which covers about three-quarters of Medicare. Though the HI fund is still robust, it is expected to be bankrupt by the late 1980s, for Medicare expenditures are rising at an annual clip of about 15 percent. Congress set this problem aside for later consideration. In fact, Congress actually accelerated the eventual Medicare crisis by borrowing money from the HI fund and channeling it to OASDI, whose financial problems were more immediate.

This certainly wasn't the outcome favored by President Reagan or the conservatives he speaks for. Indeed, in May 1981 the President proposed a set of cost savings that would have put the system on a sounder financial footing without any need for tax increases. The proposal caused an uproar, however, and indirectly contributed to the Republicans' loss of 26 House seats in the 1982 election. Its swift rejection by the Senate set the tone for all subsequent political maneuvering on the issue.

Was there a better way for President Reagan to have handled this hot potato? Were there any political strategies that could have brought the explosion of Social Security benefits under control—without jeopardizing Mr. Reagan's and the Republicans' election prospects?

To begin with, the White House missed an important opportunity by failing to work with J. J. "Jake" Pickle, the jowly, friendly faced Democrat who represents Lyndon Johnson's old Texas district and is chairman of the House Social Security subcommittee. Mr. Pickle knew just how seriously Social Security was in trouble, and in

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1981 he moved deftly to steer his subcommittee toward a comprehensive Social Security solution. By spring his panel was giving informal approval to specific controversial elements of a rescue plan—and generating anger throughout political Washington.

House Speaker Tip O'Neill was angry because he didn't want any Democrats acknowledging the problem. His strategy was to let Republicans do that, giving Democrats an opportunity—rare in those heady days of Ronald Reagan's high-flying act—to slam the opposition on the Social Security issue. The speaker constantly applied pressure on Mr. Pickle, trying to get him to back off. "Rein him in," he told Chairman Dan Rostenkowski of the Ways and Means Committee, the Pickle committee's parent panel. And Mr. Rostenkowski told a reporter at the time, "I keep telling Jake, 'Slow down, Jake. You're getting too far out front. Slow down.' " But Jake Pickle just moved ahead, taking his committee to actual bill-writing sessions by early spring.

Officials at the White House also feared Mr. Pickle was getting too far out front. The administration opposed his provision for some ongoing general-fund financing of Social Security and feared that if he were allowed to control the debate, he might prove successful in getting general-fund financing into the final bill.

Blunders and Bloopers

In retrospect, this analysis seems politically faulty. For one thing, the 1983 legislation ended up with some back-door general-revenue financing anyway. (For example, although the effective payroll tax for employees in 1984 will be 6.7 percent, the Social Security trust funds will be credited by the Treasury for 7 percent, with the difference coming from general revenues.) In addition, the question in early 1981 wasn't what the final bill would contain but whether the Democratic leadership would allow bill-writing to proceed at all. On this score, Jake Pickle was the White House's best friend in Congress—a Democrat of stature willing to defy his leadership in acknowledging the problem. The White House might have invited him down for a well-publicized chat with the President and praised the courage of his actions. Instead, the administration pressed forward with a hurriedly conceived package of proposals designed to steal Jake Pickle's show.

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It was an incredible blunder. The package was designed to ensure the system's solvency and also to clear the way for scaling back scheduled payroll-tax increases, but politically it was ill-conceived, ill-timed, and ill-fated. One provision in the Reagan plan would have reduced slightly the average "replacement rate"—the percentage of a worker's last-year earnings that he gets in Social Security benefits his first year of retirement. From about 30 percent in 1950, the average replacement rate rose steadily to 55 percent by 1975. The 1977 bill eliminated what nearly everyone considered a flaw in the formula, and the replacement rate dropped to about 42 percent by 1981.

Small adjustments with little pinch on individuals can have a huge impact on the system's long-term finances, and it's instructive that the Reagan replacement-rate proposal received little criticism. Indeed, Mr. Pickle favored a similar approach.

A Grand Slam

Slightly more controversial was a call to fine-tune the formula for determining cost-of-living benefit increases. Instead of basing the inflation adjustments on a comparison of first-quarter prices in one year with first-quarter prices the next year, those adjustments would be based on a 12-month average. Administration officials argued that the quarter-to-quarter method led to distortions. This seemed like a sensible approach to the difficult problem of upwardly spiraling benefit payments, and although some in Congress were obviously poised to pounce on any tampering with the cost-of-living formula, the response to this proposal was surprisingly mild.

This issue certainly paled alongside the next provision, a plan to reduce benefit levels for early retirees, those workers who decide to retire between ages 62 and 65 rather than wait for full benefits at their 65th birthday. A worker could get 80 percent of his full benefits if he retired at age 62, and this percentage rose proportionately as the worker got closer to 65 and full-benefit treatment. Under the President's proposal, 62-year-old retirees would receive only 55 percent of full benefits.

This meant that in the year after enactment, a person retiring at age 62 would be eligible for maximum benefits of $310.50 a month, compared with $469.60 under prevailing law. Over time, the disparity would grow to close to $300. The problem with this in political terms was that early retirement had become a way of life for many Americans. In 1979, 64 percent of the 2.6 million people applying for retirement benefits were under 65. Under the President's plan, people approaching early retirement—obviously millions—would simply have to revise their plans.

This scheme was untenable politically. You cannot ask millions of Americans who have been paying Social Security taxes all their lives in preparation for specific retirement plans in two or three years to simply take a huge cut in pension payments or stay on the job another three years. It led to a congressional slam at the President and gave the most partisan Democrats the opening they had been hungering for.

One of these was New York's Senator Daniel Patrick Moynihan, up for reelection and facing a possible tough challenge from the Left in his state's Democratic primary. Within a week after the President unveiled his plan, Mr. Moynihan was on the Senate floor with a blistering resolution charging that the Reagan proposal amounted to a "breach of faith" with America's elderly. Republican Leader Howard Baker and Finance Committee Chairman Robert Dole hurriedly drafted an alternative resolution designed to address the central congressional concerns without taking any direct slaps at the President. But fending off Mr. Moynihan's tough rebuke wasn't easy. The Senate set aside the Moynihan resolution with a 49-

From Alf Landon to Barry Goldwater to Ronald Reagan, Republicans grappling with Social Security have demonstrated an uncanny knack for self-inflicted wounds.

to-48 vote, then accepted the Dole amendment, which said Congress wouldn't "precipitously and unfairly penalize early retirees." It also pledged to refrain from making any changes in Social Security that would result in "reductions which exceed those necessary to achieve a financially sound system . . ." This was a slap at the administration's plan to cut benefits enough to reduce scheduled payroll-tax increases. The vote: 96 to 0.

This series of events probably guaranteed an outcome close to what Congress eventually produced, for the President's instinctive reaction from then on was to fight only from behind trees. He was unwilling to take the advice of such Republicans as Senator Pete Domenici of New Mexico, chairman of the Senate Budget Committee, who urged: "The only way to win on the Social Security issue is to meet it head-on." An aide explained: "Domenici stands up there before those senior-citizen groups, and he doesn't back down. He says, 'Look, this system is going bankrupt. Now under what I want to do, all of you will still get increases over time, but we'll just slow down the rate of increase so Social Security won't go bankrupt.' And they say, 'Okay.' "

The advocates of this bold approach argued that there were two separate battlegrounds in Social Security. The first had to do with benefit levels. Democrats would always win this fight. After all, they created the program, presided over its expansion, and promised generosity.

But the other battleground was the issue of solvency—whether the system would be around when retirement time comes for the grandchildren of today's recipients. Some Republicans, assessing the potential force behind the idea of Social Security bankruptcy, believed they could win a battle fought on the solvency battleground.

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But getting to the solvency issue from the benefit issue would require a very forceful drive—under fire by opponents—designed to convey to the people just how serious the problem was and how committed Republicans were to saving the system for retiree and payroll-taxpayer alike.

But President Reagan shied away from this approach. And administration officials shuddered at the thought of their man touching the issue, especially after that Senate rebuff. As one aide put it, "I don't see how Reagan can win on the issue unless he can somehow prevent his being identified with it."

This tactical dilemma reflected a political reality dating back to Social Security's creation: Voters just don't trust Republicans on this issue. From Alf Landon's call in 1936 for the repeal of old age insurance, to Barry Goldwater's casual remarks at a 1964 press conference that perhaps Social Security should be voluntary, to Ronald Reagan's fumblings on the subject, Republicans grappling with Social Security have demonstrated an uncanny knack for self-inflicted wounds.

In July 1981 the President angrily decided to take to the airwaves to defend his position and attack his attackers, but aides dissuaded him from such a bold and risky move. Still, he didn't give up hope altogether that a solution could be found. Some Republican senators counseled the President that he could neutralize the hostility toward his plan by excising the most controversial provisions. So amid White House expressions of great flexibility on the final outcome, Senate Republicans sought to nudge events toward a bipartisan effort to reach a solution. It all proved futile.

The turning point came within a 24-hour period in September 1981. The arena was the Senate Finance Committee, and Senator William Armstrong, Republican of Colorado, left the committee room the afternoon of September 23 very pleased with himself and his conservative allies. "Oh, it's a great game if you don't weaken," he told a reporter between chuckles as he ambled back to his office.

Concocting Cooperation

Mr. Armstrong, chairman of the Senate Social Security subcommittee, thought he and his friends had managed to force from stubborn Democrats an acknowledgment that Social Security was in real trouble. Along with nearly all congressional Republicans and a few Democrats, he was ready to move beyond the May firestorm and seek a real solution. So was Finance Committee Chairman Dole. So was the White House. But many Democrats, led in the Senate by Mr. Moynihan, insisted that bold actions just weren't needed. It would be sufficient, they argued, merely to allow "interfund borrowing" to channel money from the robust trust funds into the financially strapped old age fund. "We just don't have a crisis, that's all," Mr. Moynihan said.

The beauty of Mr. Moynihan's position was that it contained no political risk. Because Republicans were fighting on the benefit battleground and hence remained skittish about proceeding without Democratic help, he and others could thwart the Republicans' efforts without having to go on the record with any votes. So the Republicans concocted a plan to force Mr. Moynihan and others into a recorded vote on the matter. During the committee session that September afternoon, Senator John Danforth of Missouri proposed a resolution saying a major Social Security bill was needed to fend off the system's insolvency. It specifically declared that the interfund borrowing approach wasn't sufficient to stave off a system crisis. And it instructed Mr. Dole to designate a bipartisan panel to explore possible solutions and approach House Democrats about making a cooperative effort.

The committee adjourned with suggestions from the chairman that he would put the matter to a panel vote the following afternoon. And so as he left the hearing room in that giddy mood, Mr. Armstrong thought that the tables had been turned on Mr. Moynihan. He would be forced to vote for a resolution saying precisely what he and every other Democrat knew in their hearts to be the truth—that Social Security was in trouble and needed congressional help.

He won't forget his number, but will he get his benefits?

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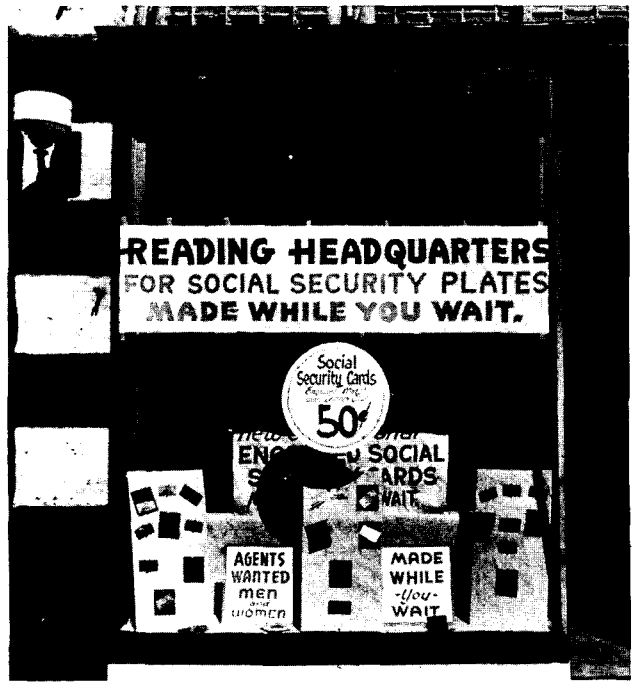
Mr. Armstrong felt certain that the committee the next day would set in motion a congressional effort to save Social Security. What's more, the President would be free to direct the process as much as possible toward a conservative solution. By standing aloof from the congressional effort, according to this view, he could avoid the inevitable political firestorms and hence seek to nudge the lawmakers toward solutions that addressed the benefit explosion and away from solutions relying chiefly on tax increases.

But all such thoughts went up in smoke the next day as events intervened, changing the political landscape entirely. First, Mr. Moynihan made clear he wouldn't weaken; he'd happily go on record against the Danforth resolution. Then Speaker O'Neill vowed to fight any Social Security initiative affecting benefits. Then President Reagan quickly ran for cover. He announced he would seek a bipartisan commission to study the issue and report back in late 1983, after the coming congressional elections. And when the Finance Committee met the next day, it quickly passed a stop-gap measure—the interfund borrowing approach that could delay but not forestall the crisis.



Hodgepodge

The President's aim obviously was to neutralize the high-voltage issue through the 1982 elections. In this he failed. Democratic candidates, spurred on by Speaker O'Neill, continued to pummel the President and his party on the issue right up to the November 2 balloting. What's more, the President lost his independence of action. By moving to a bipartisan commission (with Speaker O'Neill naming some of the Democratic members), the President essentially delegated the matter away. This effectively guaranteed the hodgepodge approach, a politically modulated solution to an economic crisis, a little benefit cut here, some taxes there, a touch of general revenues, bringing in federal employees for a quick infusion of receipts.

The chairman of the new commission, New York economist Alan Greenspan, moved deftly to steer his ideologically motley commissioners toward consensus. In the end he lost the panel's three most conservative members—Senator Armstrong, Representative Bill Archer (R.–Texas), and Joe Waggoner, formerly a Democratic congressman from Louisiana—but he reasoned their loss could be neutralized by White House acceptance of the final package. Meanwhile, he had to pass muster with the commission's most liberal members—Florida Representative Claude Pepper, octogenarian champion of the old folks, and Robert Ball, former Social Security commissioner who presided over many of the benefit expansions that were the root of the system's problems.

Chairman Greenspan squeezed some important compromises from these men and the politician they spoke for, Tip O'Neill. But he also had to adopt as mild an approach on the benefit side as could be credible. Instead of altering the cost-of-living formula for all time, for example, the panel recommended merely a six-month delay in the next adjustment—a tidy cash-flow provision but hardly a fundamental change in the system.

It is striking that Congress, without any great pitched battles, strengthened the product of the Greenspan Commission. In the House, for example, liberals led by Representatives Pepper and O'Neill wanted to ignore much of the long-term financing problem, but others, including some important Democrats, wanted to raise the retirement age to 67 from 65. The liberals were defeated handily.

In the Senate, conservatives won approval of plans to raise the retirement age as well as to reduce that first-year "replacement rate." They also approved a strong "fail-safe" provision designed to permit whatever benefit-growth reductions might be necessary in the future to guarantee timely issuance of monthly checks.

Not all these strengthening provisions survived the House-Senate conference committee, but they seemed to reflect a general congressional disposition to acknowledge the magnitude of the problem. Could this have been exploited if President Reagan had chosen the bold approach advocated by Mr. Domenici? It's difficult to judge. Politics is like starting a business; you don't know whether your product will sell until you try to sell it. And of course the presidential blunder of May 1981 may have killed any prospect for success in the bold approach anyway.

Although the solvency issue was very much on the minds of all the politicians who were involved in the struggle, this issue was never taken forcefully to the people.

It was widely assumed that the voters simply would reject those arguments and cling emotionally to their predispositions for high benefits. This may have been one of the greatest examples in many years of underestimating the good sense of the American electorate. And it probably was the single most important factor in determining the final outcome of the big Social Security struggle of the early 1980s. ☎

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"Happy 1984"

The New York Times Editorials on Grenada Betrayed a Deep Suspicion of the American People

Diana West

Rarely has the editorial page of an American newspaper so consistently misunderstood unfolding events as the *New York Times* did in its recent series on Grenada. At every stage of the Grenada affair, the *Times'* editorial writers completely missed the point. They misunderstood the bloody Leninist coup, they misunderstood the U.S. invasion, and ultimately, they misunderstood the reactions of the American people. The *Times'* editors were so mistrustful of the American government—and later, so mistrustful of the instincts of ordinary Americans—that they failed to recognize simple facts that almost everyone else could see, and they had to take tortuous linguistic routes to bypass the conclusions that nearly everyone else had reached.

From the very beginning, the *Times'* instinct was to point fingers at the Reagan administration. Indeed, the newspaper's reaction to the killing of Grenada's prime minister, Maurice Bishop, was to imply that the United States was to blame. In an editorial on October 21, 1983, entitled "Harvest of Failure in Grenada," the *Times* stated:

> . . . the United States' undifferentiated hostility to leftists in this hemisphere has been rewarded with a hard lurch to the dogmatic and pro-Soviet left. . . . [Bishop's] killing suggests the inadequacy of policies that seek to influence leftist regimes by shunning them.

The editorial went on to fault the United States for not embracing Grenada when Bishop, as prime minister, indicated that constitutional reforms might be in the offing. The *Times* missed the obvious point that Grenada was pitched into revolutionary chaos by a handful of Grenadian military men supported by hundreds of armed Cubans, not a Grenadian majority disaffected by the cold shoulder of the United States. Summing up, the *Times* declared that "events in Grenada suggest that more sophisticated strategies are in order."

When the troops landed, the *Times'* first—and only—impulse was to condemn the United States. The "frustrated Administration," it proclaimed on October 26, "acted not because it is right or necessary, only desirable and doable." The *Times* then hastily dispensed with the reasons cited to justify the invasion:

> A hypothetical threat to American lives, a claim of anarchy and a plea from West Indian neighbors are being served up to justify an invasion of Grenada . . . But no threat has been demonstrated. . . . no such chaos has yet been demonstrated. . . . no such evidence [of Cuban and Soviet intervention] has yet been invoked.

Ignoring even the remotest possibility that there might actually be some credibility to the reasons President Reagan had stated, the *Times* proclaimed:

> . . . what is feasible cannot be the only standard of what is advisable, not if Cuba and the Soviet Union . . . are to be held to account for respecting international frontiers.

This statement would have us equate the American invasion of Grenada with an operation like the Soviet invasion of Afghanistan—a breathtaking proposition if only for what it reveals about the way the *New York Times* thinks. The only victims of American intervention in Grenada were 600 or 700 armed Cubans and a murderous band of Grenadian officers who had been terrorizing the population of the island. In the editorial eye of the *Times,* however, American force is patently wrong, always.

This attitude blinds the editorial writers to the difference between an invasion launched to restore order and democracy and one (of many) launched to crush a popular uprising against brutal domination. In other words, all that separates the American intervention from Soviet intervention is just a blur to the *Times,* minutiae not worth examining.

With an editorial on October 30 entitled "Goliath in Grenada," the *Times* made the Soviet-American parallel even stronger. Calling the United States a "paranoid bully," the *Times* gathered speed:

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> Simply put, the cost [of the invasion] is loss of the moral high ground: a reverberating demonstration to the world that America has no more respect for laws and borders, for the codes of civilization than the Soviet Union.
>
> . . . To much of the world, the invasion appears no different than the Soviet suppression of Poland or the occupation of Afghanistan. Even friends in this hemisphere and in Europe are tempted to think of the superpowers as equally selfish, possessed by their geopolitical games. In their private thoughts, they may even raise a cheer for the Davids who stand up to either Goliath.

This is the *New York Times* at its most hysterical, as well as at its most maudlin. Almost worse than its willful neglect of the remarkable differences between Soviet intervention in Poland or Afghanistan (or Czechoslovakia or Hungary) and American intervention is the Carrollian notion that Bernard Coard, the leader of the coup, is receiving silent tributes around the world for having played David to an American Goliath. This preposterous description was the diametric opposite of actual popular reactions, especially in the Caribbean democracies.

The *Times* also misunderstood the American public's enthusiasm for the invasion. It did not consider the possibility that Americans thought the invasion a just rescue mission or a necessary move to counter a real military threat. Instead, it reduced the spirit of the American people to the glee of a pack of sniveling brats:

> A great many Americans, to be sure, feel better about their country this weekend than last. The carnage among passive marines in Lebanon struck them as one more sign of impotence, exposing a chronic failure of will to stand up to terrorists. Now, in tiny Grenada, Americans have shown that they can play hardball, too, that they can be just as tough at defending their turf as the Commies. Watch Out, Nicaragua. Beware, Syria. Keep Out, Russia.

When the editorial entitled "The Grenada High" was printed on November 2, a week had passed since the invasion. Reporting that "most Americans seem strangely ambivalent about the Grenada trip," the *Times* grudgingly acknowledged that they were "nonetheless inclined to find value in the enterprise." Once again, the editors reviewed the reasons for the invasion, checking them off like items on a shopping list: the threat to the American medical students was a "yarn"; the urgent requests from the neighboring democracies were "plainly encouraged, if not indeed written, in Washington"; the Cuban presence was, in fact, no threat at all.

"So what was eating Washington?" wondered the *Times* in its own eloquent way. Here, the editors took a different tack: Instead of linking the United States, the Soviet Union, and Goliath together in a villainous fraternity, and instead of insisting on the identical properties of Grenada and Afghanistan, the *Times* decided to play doctor. Turning to psychology to explain why we were behaving as we were, the *Times* informed us that we were only sick, not evil:

> . . . psychologically . . . the Cubans got to us, exposing a deep-down sense of American inadequacy and weakness. . . .
>
> After all is said and done, the real inspiration and justification for the Grenada invasion lies in those false feelings of impotence—fanned by years of deceptive politicking about American retreats, defeats and even nuclear inferiority. And the inevitable corollary of impotence is envy . . .

Because the *Times* has for years been saying that feelings of impotence and envy were what drove the Soviets to erect the Berlin Wall, subjugate Eastern Europe, and engage in all sorts of other acts of repression, this was a mighty serious diagnosis. What on earth might happen next? "As Soviet history shows," the *Times* continued, "the worst thing about a national inferiority complex is that it induces conduct that really is inferior." Still, a ray of hope shone through this bleak forecast: The "delusion, deception, secrecy and lawlessness" that the *Times* said characterized the Grenada invasion were only temporary aberrations that would vanish because "sooner or later we will tell ourselves and the world the truth about Grenada. Having made a pathetic little war because we felt bad will not, finally, make us feel better." In essence, all we had to do was to 'fess up. According to the *Times*, the sooner we admitted the "truth" about Grenada, the sooner we would be restored to our noble selves.

The Times dismissed the students-in-danger argument as poppycock: "No hard evidence" had been found. One wonders what would have satisfied the Times short of a dead student.

After this piece, the *New York Times* fell temporarily silent on Grenada. For over a week there was no word about the "yarn," the "pro-Soviet gnat," or even the "impotence" of "President Feelgood" and his "heady pills" of success. One can only imagine the silent waves of despair that must have swept through the editorial room at the sight of each morning's headlines. Gun dumps, munitions contracts, and the overwhelming euphoria of Grenadians at home and in Brooklyn were too much even for the editorial board to ignore. No wonder the *Times* was quiet. What could it do but thrust its head into the hole it had dug for itself deep in Grenadian sand?

Nevertheless, this was not the last word on Grenada. On November 10 ran the finest example of the *Times'* inimitable editorial style to date. It was entitled "Grenada, by O'Neill, by Orwell." It contained no attacks on the Reagan administration on behalf of the "public," nor did it assume the fraternal "we" and "us" to refer to the American people. Apparently, there was no longer any

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"we" where the American people were concerned. Grenada had taken its toll.

> With the surrender of Speaker O'Neill, President Reagan's triumph in Grenada seems complete. The evacuated students kissed American soil and cheered at the White House. Grenadians express relief, even delight. Most Americans not only approve but feel positively invigorated . . .

For the editors, however, there was no joy in Mudville. "Although 1984 is at hand," they ominously began, "hardly anyone dares confront the Orwellian arguments by which this grave action has been justified." What follows is a tangle of verbal contortions that rivals even the complexity of Jonathan Swift—only Swift was writing satire.

The *Times* still dismissed the students-in-danger argument as poppycock, complaining that "no hard evidence" had been found. One can only wonder what would have satisfied the *Times* short of a dead student. "But assume," it suggests,

> like a delegation of Congressmen did, that the students faced a "potential" risk of being harmed or taken hostage. Why would the Marxists who had just seized power from other Marxists want to threaten Americans? The only reason could be to protect themselves from a feared invasion. The pretext for invasion, then, was a presumed danger posed by invasion.

How would threatening American medical students protect the Marxists from this "feared invasion"? And why would they fear an invasion unless they were threatening American medical students? The editorial writers of the *New York Times* will say anything to preserve their belief and desire that America is always wrong.

The *Times* was wise enough not to repeat its argument that there was nothing the Cubans could have done from Grenada they could not have done better from Cuba. Nevertheless, the editors persisted in their denial that anything found on Grenada—from machine guns to North Koreans—constituted any kind of a threat:

> That the Cubans and the weapons finally counted in Grenada were a danger to the United States is far from proved. If they were, then the motive for invasion was . . . a quest for evidence to justify invasion.

It would seem that the *Times* was trying to say that the reason behind the invasion was merely to justify its having been launched.

As for the delight of the Grenadian people, the *Times* grudgingly admitted that "if this invasion yields them a more legitimate regime, they'll certainly benefit." The prospect, however, hardly cheered the editors:

> . . . that raises a startling new standard of international conduct. No American Government ever declared a policy of invasion to implant democracy in Grenada, or anywhere else. What other people now qualify for benign invasion?

It is curious to see how perturbed the *Times* was by the fact that the United States had freed Grenada. Stubbornly rejecting the compelling motives behind the invasion, the *Times* remained oblivious to the invasion's significance. It was not, as the *Times* would have led us to believe, merely a preview of other invasions. On the contrary, as a victory more of political will than of military might, this act of invasion made Grenadas of the future (and Cubas and Nicaraguas) far less likely to develop.

Perhaps the *Times'* inability to comprehend this notion lies in its definition of a great power:

> A great power that wants respect for its values as well as its power would have marshaled its diplomatic and economic might to contain the threat. It would look upon force as a desperate last resort.

One wonders what exactly is so great about this power the *Times* has in mind. A government known to relegate force to the status of a "desperate last resort" will have little "diplomatic and economic might" to marshal in the first place.

The overwhelming public support of the administration's action was perhaps the most notable development to take place during the entire operation. The piles of evidence mounting high in and around Grenada carried substantial weight with the public. When even Tip O'Neill decided to support the President, the *Times* was appalled. It berated Mr. O'Neill for his "surrender" to "public opinion," a rather curious attitude for a self-proclaimed champion of democracy.

> . . . Speaker O'Neill's final judgment may be the most shamefully motivated of all. "Public opinion is what's behind things here," explained Representative Torricelli of New Jersey. ". . . people feel their frustration relieved, and members of Congress sense that."

The newspaper was faulting elected officials for responding to their electorate. Apparently, the democratic process is not a legitimate form of government when the consensus does not coincide with the ideas of the editorial writers of the *New York Times*.

This dichotomy between the opinions of the electorate and those of the *New York Times*—and, for that matter, its media companions—is nothing new. For example, consider the stunning fact that 80 percent of reporters, editors, and columnists voted for George McGovern, a man the American people turned into a landslide loser. Clearly, the *New York Times* is out of sync with those whose surrogate it would claim to be. Its paranoid, unrelenting skepticism of American policy has become a ludicrous spectacle, especially in the instance of Grenada, in light of the facts reported day after day in its own front pages. The *Times,* however, did not surrender. Instead, it continued to evade and deny the evidence to the end:

> So the invasion is finally justified because Americans needed a win, needed to invade someone. Happy 1984. ☎

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Victory on the High Seas

The U.S. Navy Is Winning Its War Against Drugs

David Martin

NOT ON *MY* WATCH. NOT ON *MY* SHIP. NOT IN *MY* NAVY! That is the message of a poster unfurled in all ships of the U.S. Navy and in the barracks of all Navy bases. The poster features a green marijuana leaf in a red circle with a diagonal stroke through the middle. It is the most visible sign of an all-out war on drug abuse launched by the armed forces in early 1982.

The war is being won, especially in the Navy. Current drug use (within the previous 30 days) fell from 48 percent in 1981 to 16.2 percent at the start of 1983—a 66 percent improvement. The other services have also made gratifying progress. The Army, for example, found that current drug use had fallen from 40 percent in 1981 to 26.2 percent in 1982. But whereas the other services found more servicemen using alcohol (the increase was from 26 to 30 percent in the lower ranks), the Navy was able to hold the line on alcohol use while significantly reducing the use of marijuana and other drugs.

The use of heroin by servicemen declined dramatically after the Vietnam War, but this decrease was offset by a massive increase in the abuse of cannabis (marijuana and hashish). The cannabis epidemic involved almost half of all junior enlisted personnel.

Marijuana is cheap and extremely easy to obtain. And thanks to media treatment of the subject during the 1960s and 1970s, there is a widespread misperception that marijuana is relatively benign; some reports, such as *Licit and Illicit Drugs*, published in 1974 by Consumers Union, even suggested that marijuana was beneficial.

The principal psychoactive component of marijuana, THC (tetrahydrocannabinol), has a powerful affinity for fat. Because the membranes of brain cells have fatty tissues, the brain is one of the prime areas of concentration within the body. It has been demonstrated that THC inhibits performance in driving and other complex functions and is therefore dangerous to the military.

Marijuana use seriously impairs memory. People who are high speak in a disjointed manner and are unable to complete sentences. It has a particularly serious impact on the transfer from short-term to long-term memory, thus interfering with the central process of learning, including military instruction. It impairs the capacity for personal judgment, in particular, value judgments. Depending on the individual and the dose, it may result in psychotic episodes, including hallucinations and delusions.

Marijuana hurts personal morale because many habituates show progressively less concern about their appearance and personal hygiene. They also lose the motivation to engage in athletics and jogging and other activities to keep them physically fit. Resistance to authority, and therefore a breakdown in discipline, also often goes with chronic pot use.

The most dramatic consequences of drugs and alcohol in the military are the shocking casualty statistics. During 1981 more than half of the 853 military fatalities and more than 4,000 injuries suffered in training, such as practice parachute jumps, were clearly related to drugs and alcohol. Those figures may actually understate the problem, since viable roadside tests are not yet available to detect driving under the influence of marijuana and other drugs. The cost to the services of such accidents was estimated at $110 million to $150 million per year in manpower and material resources.

For the Army, marijuana use was 40 percent, and the Air Force, 21 percent. But the Navy was faced with the biggest drug abuse problem of the armed forces with 48 percent. Several factors spurred the Navy to institute its program to crack down on drug and alcohol abusers in the ranks. The Reagan White House, unlike the Carter and Ford administrations, made drug abuse a top priority. The Court of Military Appeals, meanwhile, recognized the reliability of trained dogs in finding probable cause for searches, and it recognized that the nonconsensual extraction of body fluids, such as urine, was governed by the reasonableness standards of the Fourth Amendment. Moreover, reliable urine tests that could detect residues of marijuana and its metabolites in the body had been developed. Finally, Admiral Thomas C. Hayward (then Chief of Naval Operations) was passion-

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DAVID MARTIN, *a Washington-based journalist, writes frequently about foreign policy, national security, and the drug problem in America.*

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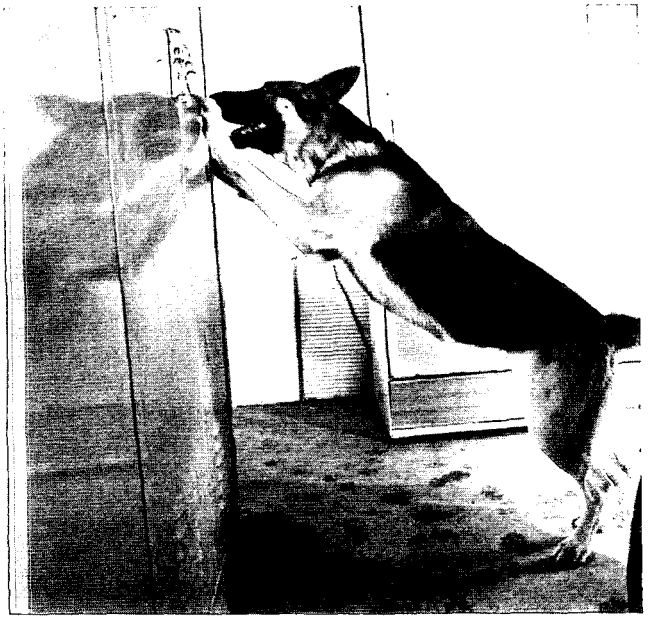

ately convinced that something had to be done. "You've got to get rid of these druggers aboard ships," the admiral said in effect to his commanding officers, "or I'm going to get rid of you." Ignoring the legal uncertainties that still existed, the Navy jumped the gun and launched its program far ahead of the other services.

The officer whom Admiral Hayward placed in charge, Rear Admiral Paul J. Mulloy, says that the two-word policy statement "Zero Tolerance" summarizes the Navy's attitude. He couches his appeal to the troops in moral terms. "You've got to be able to say to a sailor, 'Look, you've got a shipmate who's involved with this stuff. You owe it to yourself and your shipmates to get him straightened away.'" The Navy gets around the traditional reluctance of comrades to being snitches by educating them to the hazards of drug use in today's highly technological Navy.

Graduates and Recidivists

The Navy's war against drugs begins the day an enlistee signs up. The new recruit must read and sign a statement of understanding on Navy policy, initialing each paragraph as he reads. Illegal possession of drugs, the recruit learns, may lead to trial by court-martial or administrative separation from the Navy. And this may result in an other-than-honorable discharge from the Navy and denial of education benefits, home loan assistance, and other benefits administered by the Veterans Administration.

Strict surveillance includes the use of a small army of dogs to sniff out small quantities of drugs in concealed places. Sailors have come to have an awesome respect for the ability of these highly trained animals to detect drugs no matter where they may hide them. Naval personnel now say to themselves, "Wait a minute. I don't know when they're going to bring in the dogs—and I don't want to get busted because I know what will happen to me."

An average of three urine tests a year are administered for every man and woman. Each test requires a minute and a half and tests for the presence of marijuana, cocaine, amphetamines, barbiturates, PCP, and opiates. The samples are taken in front of eyewitnesses— "that's to get around schemes like selling baby urine at $25 a bottle," says Admiral Mulloy. The aggressive urinalysis program has proved the single most effective tool in reducing drug abuse because it has made it impossible for pot smokers to hide.

Although the program calls for harsh discipline, it also seeks to be compassionate. "If a youngster has a problem and asks for help," says Admiral Mulloy, "he's going to receive it. If he's being honest about it, we will provide the education and treatment he needs to be squared away and returned to useful service."

Approximately 15 percent of those who receive treatment for drug or alcohol abuse are self-referred. All entrants are first screened to determine their treatment level.

Level I, a local command program, embraces those who sporadically abuse alcohol and drugs but are not dependent on them. Personnel receive counseling and preventive and motivational education after duty.

Level II is for more active abusers. In addition to the education program of Level I, they receive individual counseling, both afloat and ashore.

Level III is for personnel who have been diagnosed as alcohol or drug dependent. They are given rehabilitation on a full-time, live-in basis at an alcohol or drug rehabilitation center. For alcohol, the average stay is eight weeks; for drugs, it is seven.

Graduates of all the programs remain in an "aftercare" status for up to 180 days, subject to close observation and frequent urinalysis testing. At the discretion of the commanding officer, they may also be required to attend meetings of Alcoholics Anonymous and Narcotics Anonymous. Very occasionally, Level I and Level II graduates are given another chance. But a second chance is virtually never available to those who graduate from the residential Level III program and return to their old dependencies.

The recidivism rate for Level III personnel is about 20 percent—excellent compared with similar civilian programs. The Navy reports gratifying recidivism rates for its other programs as well. According to the Navy, the effort more than pays for itself in terms of the saved expertise of those who are rehabilitated and returned to full duty. "Our system is working," Admiral Mulloy contends. "One evidence of this is the concomitant increase in retention."

Trafficking Fines

The Navy's counselors, many of whom have overcome a drug or alcohol abuse problem themselves, are specially trained. Volunteers must have shown two years of sobriety before being selected.

The judge advocate general and Navy lawyers are committed to doing everything in their power to assure the success of the command effort to rid the Navy of drug abuse. According to the Naval Investigative Service, "Those we're investigating are dealt with much more

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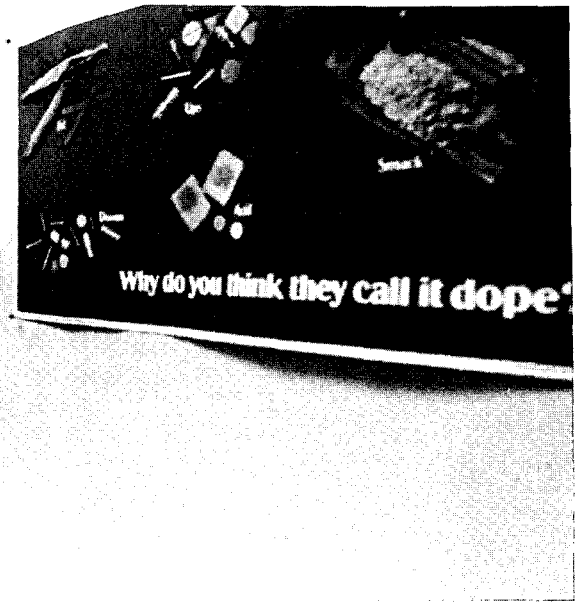

severely by courts-martial than they were just a few years ago." Jail sentences of one year or more are becoming relatively common, especially in cases of trafficking or distribution. Sentences of a year or less are generally served in a military prison, sentences over one year in a federal penitentiary.

Because of all this, drug trafficking by enlisted Navy personnel is becoming increasingly rare. The amounts enlistees handle are small because the risks are so great. The use of the mails to ship drugs used to present a serious problem, but the problem has been eased by an agreement between the Department of Defense and the Postmaster General that now permits commanding officers to inspect mail.

Sailors as Narcs

The Naval Investigative Service is also conducting its war against drugs abroad. The program, begun in 1974, was triggered by the acute problem of keeping sailors away from narcotics in Southeast Asia. Sailors on shore leave in Thailand, for example, could purchase 90 percent pure heroin for $5 a vial. With no effective law enforcement, traffickers frequently swarmed around American sailors when they came into port. That is no longer the case.

Under arrangements made between the Navy and local law enforcement authorities, enlisted personnel have served as volunteer undercover agents to pinpoint the traffickers. The volunteers arrange to rendezvous with the local dealers. On a prearranged signal, local law enforcement officers close in and bust the traffickers on the spot.

"The word gets out that it's unwise to sell to American sailors because they may be narcs for the locals," says an NIS official. It frequently happens that sailors who want drugs will be turned down by the local vendors, who are afraid that the sailors are serving as narcs for the police.

NIS authorities are understandably jubilant over the success of the program. "We've done this in Manila, we've done it in Hong Kong, we've done it in Singapore and Thailand and Malaysia, in South Korea and Pakistan," says a spokesman. "We've had the complete cooperation of the local authorities and the active assistance of the State Department. Host countries are generally eager to serve as ports of call for the Navy because visiting U.S. ships leave behind a tremendous amount of money in 'tourist' expenditures. The word has got around that if the narcotics problem ever gets really bad in a port of call and there's no cooperation from the locals, the Navy is going to cut down on its visit. For obvious reasons, this would make legitimate local merchants very unhappy."

NIS has 650 officers worldwide, including agents on every carrier. The agents aboard the ship are not undercover. Everyone knows who they are and why they are there.

The NIS caseload is tapering off now because agents are finding fewer drugs. "It's not just the dog program or the urinalysis program or the tougher sentences," says an NIS official. "What has made our effort so successful is that the war on drugs has been a total effort on the part of the entire Navy."

Unquestionably, the decrease in the use of drugs, combined with the superior quality of enlistees joining the Navy during the past two years, has contributed to the greatly improved performance ratings of the U.S. armed forces.

In accomplishing this near-miracle, the armed services have debunked the arguments of the social pessimists who tell us that drugs have become so much a part of American culture that any effort to put an end to their abuse is bound to founder on the same shoals that dealt the death knell to Prohibition. The military has shown that drug and alcohol abuse can be reduced by a combination of education, tough discipline, deterrence, and positive motivation. Ultimately, there is reason to hope that "Zero Tolerance" will be not just a policy statement but a reality. ☎

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Left Watch

Ventriloquist Journalism at National Public Radio

Benjamin Hart

What can be done about a public institution—National Public Radio—that treats as an open question whether an American President should be shot?

Consider the following verbatim transcript from NPR's coverage of John Hinckley's attempt to assassinate President Reagan:

NPR: We sent some reporters right out onto the streets of Washington just a few minutes after we learned of the assassination attempt on President Reagan. And I think you'll be interested and surprised to hear these reactions from people on the streets of the nation's capital:

Woman #1: Brady was shot?

Woman #2: Do they know by whom?

Woman #1: Has Reagan been injured? Oh, my God!

Man #1: It doesn't surprise me.

Girl: Judging from a lot of the resentment, I think a lot of people, especially my age, towards what Mr. Reagan is doing, I'm not surprised.

NPR: How old are you?

Girl: I'm 19. I'm sorry, but I'm not surprised.

Man #2: I expected it would happen.

Boy #1: He got shot. They shot him.

Boy #2: Reagan?

Boy #1: Yeah, Reagan.

Boy #2: Good, he got shot. Good he did.

NPR: Is that really how you feel?

Boy: Naw. I don't really feel that way about him. But he could be a better President than what he's doing now, because he's cutting out all them welfare people.

NPR: You don't seem very worried about it though.

Boy #2: About him getting shot? Everybody got to die. Why, does it upset you?

Man #3: People assumed that the President would be assassinated? They got to be kidding.

Man #4: I don't know what to think. Am I personally disturbed? No.

NPR reporters never miss an opportunity to use the news as a weapon to club Mr. Reagan, his philosophy, and his administration's policies—or use selective on-the-scene interviews to suggest general disgruntlement with Mr. Reagan's handling of the presidency. Columnist Joseph Sobran calls this ventriloquist journalism. NPR saw the assassination attempt as a terrific occasion to express indignation over Mr. Reagan's budget cuts and to suggest that perhaps Mr. Reagan himself was to blame for the shooting.

The root of the problem at National Public Radio, however, is in its structure. It is a taxpayer-financed corporation accountable to neither market forces nor the views of the voters. The Corporation for Public Broadcasting, established by Congress in 1967 under Lyndon Johnson, provides about 95 percent of NPR's funding, directly and indirectly, or about $24 million in taxpayer money for fiscal 1983. Only $1.4 million came from private sources.

Appointments to NPR's board of directors are not subject to ratification by President Reagan, Congress, or the Corporation for Public Broadcasting. Of NPR's 17 board members, eight are selected by, well, NPR's board. Another eight come from NPR's member stations, of which there are now about 280. In fact, most congressional districts now have at least one NPR member station; a congressman might therefore hesitate to criticize public radio for fear that he will be attacked as an enemy of the First Amendment. The 17th board member is NPR's president, who is also selected by the board. According to an NPR brochure, the structure "ensures broad-based participation."

The basis for public broadcasting was established in a report presented to Congress by the Carnegie Commission, set up in 1967 by the Carnegie Foundation. The commission's report displayed the sanctimonious tone typical of advocates of public broadcasting:

> The true greatness of America lies in the strength that emerges from this kind of diversity of religious, racial, or cultural heritage. Public broadcasting must create an enterprise that attracts their continuing administration and support if it is to survive and flourish.

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> The revelation of diversity will not please some, notably the book burners and the dogmatists among us. It will startle and anger others, as well it should.

The Corporation for Public Broadcasting acts as a buffer between NPR and our elected officials. By law, CPB is forbidden to interfere with NPR's programming policy. The agency's job is simply to distribute funds. The idea behind this was to ensure NPR's "independence from partisan politics." The effect, however, was to prevent anyone from doing anything about NPR's partisan behavior. Aside from watching the ups and downs of its listenership, of which NPR claims 9 million per week, NPR is virtually insulated from public opinion.

NPR hit the front pages last summer as a hot political issue when its president, Frank Mankiewicz, ran up a $7.8 million deficit at the station and was unable to account for many expenditures. He resigned last spring under pressure. Before NPR's board of directors appointed Mr. Mankiewicz as its president in 1977, he had served as George McGovern's campaign manager in 1972 and Robert Kennedy's press secretary in 1963.

Last October, NPR's board, still controlled by Democrats, brought in Douglas Bennet to succeed Mr. Mankiewicz. Before heading the U.S. Agency for International Development, Mr. Bennet, a Democrat, was a top aide to Senator Thomas Eagleton, a Missouri Democrat and Mr. McGovern's initial running mate in the 1972 campaign. Mr. Bennet also worked for former Connecticut Senator Abraham Ribicoff (whom Americans for Democratic Action gave a 95 percent rating) and was the staff director of the Budget Committee under former Senator Edmund Muskie. So the idea that NPR is insulated from partisan politics is false on the face of it.

Unlike private journalistic enterprises, NPR, because it is publicly financed, has an obligation to be nonpartisan and as fair as possible. But in case after case, NPR's coverage of the news, far from being less biased than that of private news organizations, has actually shown a greater propensity to take sides on controversial political issues.

On July 28, 1981, on the eve of the House vote on the Reagan tax cut plan, for example, NPR made a conscious effort to lobby Congress to adopt the "Democratic alternative." NPR led off the news with the following quotations:

Man #1: Let's put it this way. He's strictly big business. That's all he's worried about.

Woman: He's strictly for the rich. He's not for the poor.

Man #2: He's more for the millionaire, the moneyman. You can see it from the friends that he has and the people that he spends his time with.

NPR: The name, not quite taken in vain, is President Reagan. The people live in Pennsylvania. They used to be Reagan supporters. The issue is the Republican tax cut plan.

In this segment, NPR quoted no one who supported the President's plan. Letters and phone calls poured into the White House and overwhelmingly supported the President. But NPR answered that this "might not" be truly representative of public opinion:

> Calls might indeed be coming into the White House, but not all voters in the country support the President's tax plan, and Democrats in Congress are trying to convince their Republican colleagues that it would be politically advantageous for them to go with the Democratic tax bill. They argue that the President and his program are losing popularity, especially in the parts of the country where low-income, traditionally Democratic voters live.

NPR's coverage of Reagan's economic program, day in and day out, has been starkly partisan—it is for more government and higher taxes, it is suspicious of private institutions. It stands for retreat from Central America and an unyielding faith in arms control treaties with the Soviet Union. In addition, NPR likes to highlight human rights violations by American allies while downplaying atrocities by friends of the the Kremlin.

This is the kind of coverage that has earned countless awards for "All Things Considered" and "Morning Edition," NPR's two major news shows. Anthony Lewis, a columnist for the *New York Times*, called these programs "the best broadcast journalism in the world."

An example of NPR's award-winning style occurred on February 25, 1983, when Miskito Indian leader Stedman Fagoth Muller held a press conference in Washington to catalogue human rights abuses committed against his people by the Sandinistas, who burnt Miskito villages and put thousands in forced-labor camps to starve or die of disease. That day, every major media outlet carried Mr. Fagoth's revelations—except NPR. NPR held the story and after a week passed mentioned Mr. Fagoth's comments but devoted most of its coverage to trying to refute his charges. Accuracy in Media, a conservative media watchdog group, reports that in its program, NPR included 44 lines about Mr. Fagoth's press conference, compared with 120 lines discrediting his charges and airing comments by Sandinista officials.

In its initial coverage of the U.S. invasion of Grenada, NPR's central theme was to blame the United States for the chaos on the island because of our failure to back the island's Marxist dictator, Maurice Bishop. It described Bishop in a background report as a lawyer who led the "people's revolutionary army" and "put Grenada on the map."

Though mention was made of U.S. officials' concern over Bishop's "possible links with Castro and his support for the Soviet invasion of Afghanistan," this was said only in passing. NPR said that although the "U.S. views Bishop's style of government with concern and worried that he would turn the island into another Cuba, other observers thought Bishop was simply trying to maintain the island's independence." An NPR reporter added, "This summer, Maurice Bishop visited Washington, but he was snubbed by administration officials." In fact, Bishop met with Mr. Reagan's national security adviser, William Clark—hardly a snub.

NPR conducted a lengthy interview with Archie Sing-

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ham, a professor of political science at Brooklyn College. What were his qualifications? He was available on short notice, and he mirrored NPR's views on Grenada. This is ventriloquist journalism at its best.

"Bishop was basically a humanist," said Mr. Singham, "interested in . . . coming to terms with the private sector and a policy of nonalignment . . . while he tried to make the transition from the old-style parliamentary politics to a new-style revolutionary politics, which would involve popular participation."

When NPR asked Mr. Singham whether he thought Mr. Reagan's treatment of Bishop "had anything to do with what is happening now," Mr. Singham answered yes and went on to explain that by rejecting Bishop, Mr. Reagan caused Bishop to lose the support of the radical Left in his party—a non sequitur if ever there was one.

When a Miskito Indian leader held a press conference to catalogue Sandinista human rights abuses, every major media outlet carried the story—except NPR.

"Many in Congress," said NPR, "question administration motives and methods," and it suggested that the President's actions were part of an effort to "divert attention from the bad news coming out of Lebanon . . . to demonstrate that U.S. military force works somewhere."

NPR quoted Michigan Democrat Howard Wolpe, who said, "The President is trying to do a Margaret Thatcher in the Falklands . . . to muster public opinion behind a show of strength."

NPR theorized that "some Democrats hope that the invasion of Grenada, following so quickly on the events of Lebanon, will work to the President's disadvantage. Several Republicans worry about the same thing. Said Maine's Olympia Snow: 'Women especially will be reinforced in their concern that this administration will get us involved in a conflict.' "

Toward the end of the program, as part of the news update, NPR described "reaction on Capitol Hill . . . as ranging . . . from the caution of House Speaker Tip O'Neill, who said, 'It is not the time for those in public life to criticize the country,' to the anger of Daniel Patrick Moynihan, who said, 'This is an act of war and raises genuine questions about whether it is a violation of the charter of the UN, a violation of the charter of the OAS. I'm prepared to hear the case that this is not so. That case has not been made.' "

NPR likes to conduct its random opinion surveys at places like the Washington Monument and unidentified parts of Washington, D.C., and present them as a fair sample of the public's reaction. On Grenada, NPR found the public disapproving of the Reagan invasion by about a 3 to 2 margin.

This conflicted with all respected opinion polls. A *Washington Post*/ABC News poll taken on October 26, before Grenada, found people disapproving of Mr. Reagan's foreign policy by 50 to 44 percent. After Grenada the same polling agency found that the public approved of Mr. Reagan's foreign policy by 59 to 39 percent.

Public opinion surveys in Grenada showed 91 percent of its citizens in favor of the U.S. invasion, and 85 percent thought the purpose was to free the island from Cuban domination rather than rescue American medical school students.

In other words, most people did not interpret the invasion as an "act of war" against the legitimate aspirations of a defenseless people, as NPR tried to suggest through the mouths of people like Senator Moynihan. Not until about a week later did NPR report the Grenadians' favorable reaction to the invasion.

In March 1983, NPR did a special half-hour tribute to Karl Marx on the centennial of his death. Various Marxist scholars, political pundits, and historians were marched out to deliver unreserved praise for "the man and his philosophy." NPR gave us no opponents of Marxist doctrine.

NPR does have a couple of token conservative commentators—John McLaughlin, host of the "McLaughlin Group," and columnist Donald Lambro. But rather than having a conservative on hand to defend the position, NPR generally prefers to have a liberal summarize the conservative view. That way, NPR can make the liberal view sound plausible while making the conservative position sound exaggerated and ridiculous.

Take, for example, NPR news analyst Rod McLeish's summary of the two views on *The Day After*, an ABC special movie on the threat of nuclear war. First, the conservative side:

> What divides people over the issue of nuclear weapons is the difference in what they fear the most. For some [the conservatives] the principal apprehension focuses on the Soviet Union. In its extreme form, this fear transcends every sensible person's distrust of and disgust with Soviet behavior and enters the realm of myth. The Russians are deformed and inhuman. They live in a dark kingdom which is far away, and their chief sorcerers have a magic called communism which turns everybody it touches into grotesques. For the holder of such visions, the phrase "nuclear weapon" conjures hope. The weapons stand in an enchanted meadow, all around our village, warhead-spiked charms warding off the Soviets.

Although Mr. McLeish prefaces his summary with the phrase, "In its extreme form," it is obvious what he thinks of the conservative view: backward, essentially ignorant of the facts, a fantasy. Actually, Mr. McLeish's summary is not really a summary at all; it is a caricature of the generally accepted philosophy of deterrence, a strategy that has worked for 40 years.

Mr. McLeish's presentation of the liberal, or pacifist

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view, on the other hand, sounds immensely reasonable. He essentially reiterates the point made in *The Day After*—that nuclear war would be horrible and that we ought to do all we can to avoid it:

> For other people, nuclear weapons evoke a sense of the day after Armageddon: scorched wastelands, buildings blasted apart, ruined earth, piles of corpses scattered about like burnt sandbags. The poison of a thousand years of dooming children who will be the children of the children yet unborn.

"One side, in other words, is afraid of the present, the time before nuclear war," Mr. McLeish concluded. "The other side is haunted by the fear of the time after the war."

Paranoid Philistines

For Mr. McLeish, and this goes for NPR's coverage in general, the conservative position is not only paranoid and philistine, it is also selfish. Conservatives, he says, are worried mainly about the present, but liberals are concerned about the future; liberals are thinking of their children and are therefore inherently more virtuous. Although he admits some antinuclear activists are perhaps a bit shrill, nuclear war is something to get shrill about, whereas Soviet aggression is not.

Robert Siegel, NPR's news director, says he does not consider Mr. McLeish an ideological person. "In general, McLeish's news analysis seems objective," says Mr. Siegel. Mr. Siegel does not think NPR is particularly biased against the Reagan administration, saying that all news organizations tend to take a skeptical look at whoever is in power.

"If Reagan's statements are factually incorrect, it's our obligation to point that out," says Mr. Siegel. "If there's a bias against conservatives in the news media in general, I blame a certain strain of conservative for that, one that is anti-intellectual. These conservatives complained about the bias of the New York *Herald Tribune*. Now it's out of business, and they wish they had it back."

But Mr. Siegel's opinion on who is responsible for the liberal slant of the news media in general is irrelevant to the issue of NPR. The *New York Times*, the *Washington Post*, ABC, CBS, NBC, and so on have the right to be biased if they want because they are private institutions and are accountable to the free market. If the public, in general, disapproves of their handling of the news, they risk going out of business. NPR, on the other hand, is not subject to the judgment of the marketplace. The public is obligated by law to foot the bill. NPR has a duty, therefore, to provide a balanced account of issues and events. It is obvious to anyone who listens for five minutes that NPR is not doing its job. But because of its structure, which was supposed to insulate NPR from partisan politics, it is difficult to change NPR—unless Congress eliminates it altogether. ☎

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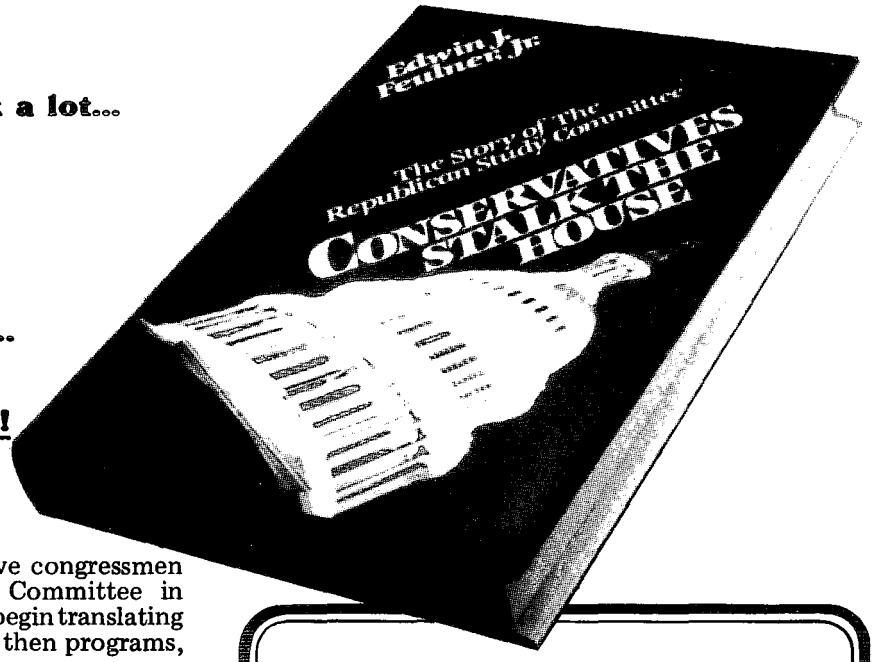

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Why Defense Costs So Much

The Rationale for a $300 Billion Budget

L. Edgar Prina

President Reagan's fiscal 1985 defense budget is the second-largest arms request in the nation's history. Those who think it too high are mistaken.

The $305 billion he seeks has been exceeded only once and then in the final full year of World War II. The fiscal 1945 budget totaled $79.5 billion, the equivalent of $577 billion in 1984 dollars. This dramatizes the decline of the dollar in 40 years and underscores the truism that deterrence is much less expensive than war.

Today's enormous budget deficits are attributable not so much to the military as to the skyrocketing growth of entitlements and other social spending that began in the late 1960s. Under the proposed fiscal 1985 budget, we would spend a comparatively modest 6.8 percent of the gross national product and 28.9 percent of the budget on defense. By comparison, we devoted an average of 8.9 percent of the GNP to defense in the 1950s and more than 44 percent of the entire federal budget in the 1960s—without shocking the economy.

A third of a trillion dollars is nonetheless a staggering amount to spend on defense. There are at least three major reasons for expenditures of this magnitude.

First, the Soviet Union, ruled by a regime that does not wish us well, has been engaged in an unrelenting buildup of its military power for the last 20 years or more. Since its humiliation during the Cuban missile crisis of 1962, it has carried out an across-the-board armaments program that dwarfs even that of Nazi Germany before World War II.

There is bipartisan agreement on the Soviet buildup and on the Kremlin's increasing willingness to use the threat of military power to attempt to intimidate other countries. Presidents Nixon, Ford, Carter and Reagan all have warned about it. Messrs. Nixon, Ford, and Carter did not do much to counter this development. Messrs. Nixon and Ford, of course, each faced a Congress controlled by Democratic majorities.

In the event, the Kremlin has achieved overall parity (at least) in strategic nuclear weapons and superiority in numbers and throw-weight of intercontinental ballistic missiles (ICBMs) and submarine-launched ballistic missiles (SLBMs).

It has created a blue-water, high-technology navy that boasts some of the most powerful surface combatants afloat and the world's largest, fastest, and deepest-diving submarines. The Soviet fleet now presents a formidable challenge to American control of the seas, a control that is vital to the survival of the free world in any global conventional war.

It has jumped to a commanding lead in middle-range nuclear rockets, primarily with the SS-20. More than 300 of these triple-warhead weapons are now aimed at NATO. The stationing of 464 U.S. ground-launched cruise missiles (GLCMs) and 108 Pershing II ballistic missiles in Western Europe over the next few years will not overcome the Soviet lead. They will nevertheless be an important counter because of their accuracy and, in the case of the Pershings, short flight time to targets in the U.S.S.R.

The Soviets have expanded their armed forces by several hundred thousand men since the late 1960s to a total of 4.8 million, counting border troops and KGB security forces, some of which are armored. And they have continued mass production of conventional arms for army and tactical aviation units.

The U.S.S.R. has moved out beyond its borders to use air and naval facilities in such places as Aden and Socotra in South Yemen and the former American bases at DaNang and Cam Ranh Bay in Vietnam. Soviet long-range Bear maritime reconnaissance aircraft fly in and out of Cuba and Guinea, in West Africa, on a fairly regular basis.

The Soviets have accomplished all of the above by increasing defense spending between 3 and 4 percent per year and devoting 12 to 15 percent of their GNP to the military over the last two decades.

According to Representative Samuel S. Stratton, a New York Democrat and a senior member of the House Armed Services Committee, the Soviets outspent the United States in the 1970s by a whopping $400 billion in

L. Edgar Prina *is Washington bureau chief of the Copley News Service and editor emeritus of* Seapower *magazine.*

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This year more than 42 percent of the defense budget will go to manpower-related costs.

military investment-procurement, R&D, construction, and the like.

"The difference between Soviet and U.S. expenditures would itself have funded the development and procurement of 244 B-1 bombers, 4,600 MX shelters with a full complement of 200 missiles, eight Trident submarines with about 200 Trident missiles, 7,000 M-1 tanks and 3,000 armored personnel carriers to support the tanks, and all the F-14, F-15, F-16, F-18, and A-10 aircraft required to modernize completely our tactical air forces," he asserted.

But as Defense Secretary Caspar W. Weinberger has put it, "More important than the 'input'—what the Soviets put into or spend on defense—is 'output'—the tanks, planes, ships, missiles and other military hardware they produce and deploy."

According to the Defense Intelligence Agency, this output has been awesome. Between 1974 and 1982, the U.S.S.R. outproduced the United States in the following arms categories:

Tanks, 17,350 to 6,400; other armored vehicles, 36,650 to 4,800; artillery and rocket launchers, 13,350 to 350; tactical combat aircraft, 6,100 to 3,050; ICBMs, 2,035 to 346; major surface warships, 85 to 72; attack submarines, 61 to 27; and ballistic missile submarines, 33 to 2.

The concern is not just about numbers alone. Though the United States held a commanding lead in military technology for many years, the Soviets have been closing the gap. They have been able to do this in large part by purchasing technology from Western and Japanese suppliers and by mounting an all-out espionage campaign to steal technical processes from the non-Communist industrial nations, including the United States.

Secretary Weinberger credits the Soviets' technical information collection—bought or stolen—with the major improvement in accuracy attained by their new classes of nuclear ballistic missiles.

In at least one case, the Soviets beat us to the punch. They adapted American-made microcircuitry for the development of an advanced sonobuoy, a device used to detect submarines, before the U.S. Navy did. Given the bureaucratic thicket and long periods of R&D, test, and evaluation that American weapons must go through before approval for production is granted, first by the secretary of defense and then by Congress, perhaps this is not all that surprising.

The second major reason for what Mr. Reagan has

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called his program for "rearming America" is the appalling neglect of our baseline military during much of the 1960s and 1970s.

Although vast sums were spent on the war in Vietnam, President Johnson's "guns *and* butter" policy held outlays for force modernization to a minimum. Obsolescent ships, aircraft, missiles, and weapons of declining capability were kept in inventory because inadequate numbers of state-of-the-art replacements were funded. War reserve stocks were drawn down, and equipment, as well as skilled personnel, was taken out of Western Europe and sent to Southeast Asia.

Presidents Nixon, Ford, and Carter—and Congress—did little to correct the situation. Although a costly war was winding down in the early 1970s, the United States failed to devote sufficient funds to its armed forces. But spending on social welfare began its skyrocketing course.

From fiscal 1969 through fiscal 1976, for example, the United States had an inflation-adjusted *decrease* of 40.7 percent in military spending and a 34.4 percent *decrease* in obligational authority for the Pentagon.

Perhaps no better illustration of how the baseline forces were starved is available than the Navy's ship construction budget for fiscal 1969, in President Johnson's final year. That year Congress appropriated $800 million, enough for only five new ships. Such a construction rate would sustain a mini-fleet of barely 150 ships, calculating a 30-year lifespan for each.

The Navy hit a post–World War II low of 468 ships in 1978, during the Carter administration. It had more than 900 in 1964, at the start of the Vietnam War. Today, 516 are in commission. Things are not quite as bad as the numbers indicate, however, because the newer ships are far more combat-capable than the ones they replaced.

Maritime Might

The Reagan administration wants to achieve a 600-ship fleet by 1989 in order to regain "maritime superiority." Jimmy Carter had the same goal, saying in December 1979, "I am determined to keep our naval forces more powerful than those of any other nation." He said his shipbuilding program would sustain a fleet of 550 ships in the 1990s. He did not say what kind of ships, but he opposed construction of any more Nimitz Class nuclear-powered aircraft carriers, key elements of the Navy's conventional attack and force projection capabilities.

At the behest of Mr. Reagan, Congress has appropriated very large sums for naval ship construction in the last three years, although not as much as the President requested. The Navy received $8.8 billion in fiscal 1982, a record-breaking $16.2 billion in 1983, and $11.4 billion for the current year. In the opinion of Navy Secretary John F. Lehman, Jr., the driving force behind the current naval expansion, attainment of the 600-ship fleet by the end of the decade has already been assured.

The steady decline of real purchasing power for defense from the early 1960s brought the Pentagon's budget to a quarter-century low in fiscal 1975. The result of this budgetary downhold: rising backlogs of equipment and facilities in need of repair; inadequate procurement of war reserve stocks and spare parts; and delays in modernization of weapons systems and equipment, all of which contributed to a decrease in U.S. combat readiness.

(The resupply of Israel's armed forces after the 1973 war with Egypt, accomplished by dipping into the inventories of our services, exacerbated the situation.)

According to Lawrence J. Korb, assistant secretary of defense for logistics and one of the foremost experts on Pentagon budgets, past and present, the Reagan administration was confronted with a backlog of $50 billion in base repair and modernization when it took over in January 1981.

"It will take us 10 years, at $5 billion a year, to eat up that backlog," he says. "Our overall military construction budget has been running between $7 billion and $8 billion a year, although we asked a little more than that last year."

One of the myths about the defense budget is that the bulk of it goes for nuclear weapons.

Mr. Korb contends President Johnson wanted to hold down the defense budget because of the growing unpopularity of the Vietnam War.

"So, we robbed Peter to pay Paul," he says. "Instead of fixing up our bases in Europe, we built Cam Ranh Bay [a billion-dollar complex now used by units of the Soviet Pacific Fleet]. Instead of building new ships, we used the money to operate naval task forces in the Gulf of Tonkin. We've really had 20 years of neglect and we're trying to make up for it."

The third major reason for increased defense spending is the need to maintain our deterrent to war, especially to nuclear war.

To deter, you first need strategic forces strong enough to convince the Kremlin that any nuclear attack upon the United States or its allies would be answered with such power and force that it would put the U.S.S.R. in mortal peril.

You also have to be able to deter a Soviet non-nuclear attack on Western Europe. Our allies have refused to spend the money to field conventional armies and air forces strong enough to deter attack by the Warsaw Pact's superior numbers of armored and tactical aviation units. It has therefore long been the policy of NATO to respond with tactical nuclear weapons, if necessary, to halt a conventional attack.

Now NATO leaders are increasingly interested in new conventional technology that might be able to deter a conventional assault.

There is more and more talk of superaccurate battlefield guns and missiles and deadly new air-delivered precision munitions for interdiction of enemy second-wave forces trying to move up to the front.

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Secretary Weinberger and the joint chiefs of staff are studying the possibilities of such weapons and tactics, as are the defense leaders of other NATO countries.

This should be good news to those who have only recently discovered the horrors of nuclear war. It is unfortunate that many of these folks, the "freezers" and "no first use" advocates in particular, are among those who loudly protest that the United States is spending too much money on defense.

Few of these individuals seem to understand that America's nuclear weapons have been the key deterrent to Soviet expansionism in Europe and other areas of our vital national interest for nearly 40 years. Because of this and our technological superiority, we have not had to match the U.S.S.R. in numbers of troops and conventional arms. Accordingly, we have spent far less on defense over the years than we might otherwise have had to. We almost certainly would have had to station more military and naval personnel in Western Europe than the 310,000 we have there today.

While we enjoyed a short-lived monopoly on atomic weapons after World War II, we could get away with a defense budget of $11.9 billion ($76.5 billion in 1984 dollars), as we did in fiscal 1948 after demobilizing our armed forces from a high of 12.3 million men and women in 1945 to 3 million a year later and 1.6 million in 1947.

One of the myths about the defense budget, bolstered by all the debate about a "freeze" and politically inspired war scare talk, is that the bulk of the Pentagon budget goes for nuclear weapons. That just isn't so. In fiscal 1984 some 11 percent (about $28 billion) of the $262 billion in total defense appropriations will go to the strategic forces. On the other hand, the general-purpose or conventional forces will receive approximately $110 billion, nearly four times as much.

Another widespread misconception is that the purchase of new weapons and equipment makes up the major portion of the budget. Again, not true. This year more than 42 percent will go for manpower-related costs—pay and allowances for the 2.1 million active-duty and 1.4 million National Guard, reserve, and retired personnel, and 1.1 million civilian employees of the Defense Department and military services; family housing and personnel support. Procurement of all kinds will come to 33 percent of the budget.

Attracting Volunteers

With the all-volunteer force and recent substantial pay raises for the military, a recruit now gets $10,500 a year plus free medical care, housing, and meals.

By comparison, the Soviet Union, with its conscription system, spends only 11 percent of its military budget on personnel and puts few rubles into such things as shipboard habitability and personnel safety, whether it be in tanks or submarines.

Thus, Moscow can and does spend much more—an estimated twice as much as the United States—on military investment, which includes procurement of arms and research and development on new weapons systems.

The Soviets make their defense rubles go further in other ways. For one thing, they don't bother with added costs for such things as equal opportunity programs for minority businesses, as we do. Navy officials have estimated that minority businesses set-asides have added approximately 15 percent to the cost of shipbuilding and outfitting.

The Soviets aren't generous with retired pay for their military, either. In the United States, retired pay will amount to $16.6 billion this year, roughly 7 percent of total Pentagon outlays. This money is not contributing to our military strength except in a most indirect way. Perhaps the account should be transferred to one of the welfare agencies.

Couldn't we save billions by just wringing waste and inefficiency out of the Pentagon? This observer has been tracking the Pentagon since the days of James V. Forrestal, the first secretary of defense, in the late 1940s. The cry of "waste," even with that $11.9 billion budget in 1948, was heard then as now. It has reverberated down through the years.

Certainly, there is waste in an organization as vast as the national military establishment. Recent accounts of outrageous overpricing of spare parts and contractor fraud indictments confirm this. But waste is not rampant nor is it out of control, as some critics suggest.

Harold Brown, defense secretary in the Carter administration, has wryly observed that "one man's waste is another man's job." Or his vital weapons system.

Mr. Brown, who may be somewhat biased, believes the Defense Department is the best-managed agency in the federal government. Perhaps surprising to many is the fact that this is a rather widely shared view in Washington, if not in other parts of the country.

Undoubtedly there are many talented professional civil servants in the Defense Department and military services. It is likely, however, that there are too many others, military and civilian, working there.

Navy Secretary John F. Lehman, Jr., had the temerity last March to say publicly that if we got rid of some 6,000

"Sustained American strength is the only possible basis for the wider, truly reciprocal detente we seek with the Soviet Union. Only through strength can we create global political conditions hospitable to worldwide economic and political progress and to controlling both conventional and nuclear arms.

"We are united in the belief that we must have a strong defense, and that military weakness would inevitably make war more likely."

Ronald Reagan? No. That was Jimmy Carter after the fall of the Shah and a bare two weeks before the Soviets invaded Afghanistan. What he said made sense, but the programs he proposed to remedy the situation were too modest and timid. L.E.P.

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bureaucrats in the office of the secretary of defense and the defense agencies, particularly the 48,000-man Defense Logistics Agency, we could save up to 20 percent on procurement in the defense budget. This upset Paul Thayer, then deputy defense secretary, and he asked Mr. Lehman to apologize to the DLA. Mr. Lehman apologized for the bad publicity the agency received but did not retract the substance of his remarks.

"Yes, there's waste, but it's political waste," Assistant Secretary Korb says. "Congressmen often use the military budget to accomplish other goals."

He notes congressional pressure or directives to locate bases in areas of chronic unemployment and to keep open others no longer needed by the military; to produce defense goods in economically depressed areas, despite the Maybank Amendment requiring contracts to the lowest bidders. He suggests continued procurement of obsolescent items not requested by the Pentagon, such as the A-7 attack plane, and others already in sufficient supply, like the A-10, C-130, and P-3 aircraft and the FFG guided-missile frigate, one of which was added to the fiscal 1984 appropriations bill at the last moment.

Congressionally Mandated Waste

One of the most serious ways Congress has increased the cost of defense is its unshakeable habit of stretching out procurement programs. This forces the services to buy at higher unit costs because of uneconomical production rates. It has undoubtedly wasted many hundreds of millions of dollars over the years.

In tackling the fiscal 1984 defense budget, Congress did not eliminate a single major weapons system as it reduced Mr. Reagan's requests by some $11 billion. But it did make nickel-and-dime cuts on more than 380 items. According to Mr. Weinberger, this will cost the taxpayers an additional $1.3 billion because of the stretchouts in procurement it decrees.

Substantial savings could be realized if Congress would cooperate with the Pentagon and allow more multiyear procurement programs. Obviously, contractors can and do offer lower prices if they can count on and plan for larger and longer production runs.

When Congress, to the surprise of many of its own members, approved construction of two nuclear aircraft carriers in the same fiscal year (1983), it saved the Navy and nation at least $750 million. That's how much more the ships would have cost if they had been ordered one at a time, in different years. Perhaps more important, from a military strength consideration, is the fact the Navy will get the new ships 22 months earlier. But Congress is jealous of its authority and is most reluctant to give up annual control of procurement programs.

Nor does Congress advance the cause of better management at the Pentagon when at least a dozen committees require top defense leaders to testify long hours each year. Most of the testimony is given in one house and then repeated in the other.

An inordinate amount of Secretary Weinberger's time is devoted to testifying or preparing to testify on Capitol Hill. The same goes for other members of the secretariat and joint chiefs of staff. Defense Department witnesses accounted for 21,000 pages of congressional testimony on the fiscal 1984 budget, appearing before more than 90 committees and subcommittees. No one would argue that executive branch leaders should be immune from congressional inquiry. But some relief is in order to eliminate this waste of time.

Senator John G. Tower of Texas, chairman of the Senate Armed Services Committee, faults Congress for its "pernicious and damaging" inconsistencies on defense and its roller coaster approach to the budget. "Generally, Congress seems to support defense only in response to a dramatic crisis," he says. "Despite what the long-term international situation demands, Congress always seems to return to the politically popular pattern of reducing defense in order to increase domestic programs."

Congress has been cutting back Mr. Reagan's rearmament program at a substantial clip, bringing it to a scale not much above Mr. Carter's final five-year plan. As Secretary Weinberger points out: "We added about $116 billion to Carter's plan [fiscal 1982 through fiscal 1986] and we've lost about $104 billion of it."

Indeed, the case can be made that $305 billion dollars for defense in fiscal 1985 isn't enough. Even with Mr. Reagan's larger requests for arms, there has been no force expansion for the Army, Air Force, or Marines. They have the same number of divisions and air wings they had in 1980. The Navy is the exception. It will increase its carrier battle group strength from 13 to 15 and build to a force of 100 nuclear attack submarines by 1989.

Airlift and sealift modernization and augmentation have come along slowly and in modest fashion. Present assets could hardly sustain anything but a token force in Southwest Asia, recently declared to be of vital national interest by Presidents Carter and Reagan.

Buoying up the Merchantmen

Mr. Reagan's most conspicuous failure, however, concerns what President Eisenhower once called America's "fourth arm of defense," the merchant marine. Campaigning on a platform promise to strengthen our commercial fleets, he has done little for the shipbuilders and seamen. He has cut construction and operating subsidies aimed at helping American companies meet subsidized foreign competition. Very few U.S. flagships are being built in American yards today, and the size of our merchant fleet has continued to drop.

The British learned how valuable merchantmen could be in an operation like the one to retake the Falkland Islands after they were seized by Argentine forces. There are a number of military observers who believe Britain could not have won without its many merchantmen.

Now the ball is once again in Congress' court. It is an election year and the Democratic candidates are telling the American people Mr. Reagan wants to spend too much on defense.

For those who would spend more on social welfare programs and less on defense, it would be well for them to remember what both Republican and Democratic Presidents have declared: That the first and most important social responsibility for any democratic government is to assure the safety and freedom of its citizens. ☎

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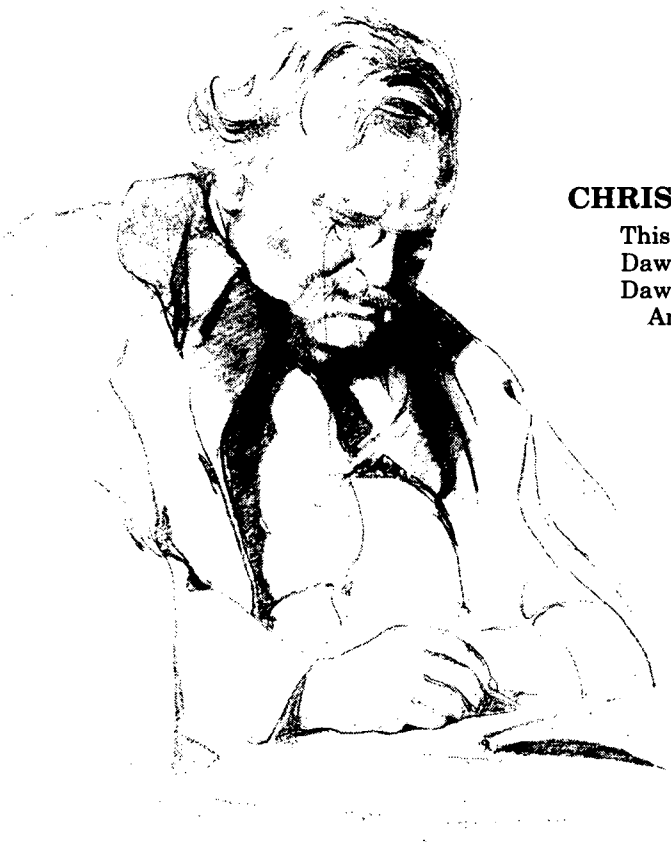

CHRISTOPHER DAWSON, May, 1983

This issue is edited by Christina Scott, Dawson's daughter, and the author of the new Dawson biography.

Among the contributors are:

— **Chauncey Stillman**, the founder of the Chair of Roman Catholic Studies at Harvard University of which Dawson was the first occupant.
— **John J. Mulloy**, who has edited, among other books, *The Dynamics of World History,* and who was in close touch with Christopher Dawson during Dawson's stay in America.
— **Bruno Schlesinger**, a close friend of Christopher Dawson and Chairman of the Lilly Foundation for Christian Culture at the University of Notre Dame, South Bend, Indiana.
— **J. Ambrose Raftis, C.S.B.**, the President of the Pontifical Institute of Mediaeval Studies at the University of Toronto.
— **Neville Braybrooke**, a well-known English author and editor.
— **E.J. Oliver**, biographer, novelist and literary critic.

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Viguerie's Raiders

The Establishment vs. the People: Is a New Populist Revolt on the Way? *by Richard A. Viguerie (Chicago: Regnery Gateway).*

In 17th-century England they called it populacy and the elites took a dim view of it; James II called it a "fool's paradise which wise men scorn." But people's government thrived as a political idea nonetheless, especially in France ("Rights of Man") and the New World, where it became the central idea of the new American republic. Populacy came to be better known as democracy, but its connotations survive in that broad word populism.

The concept is central to American politics and culture. Thomas Jefferson was exercising the populist franchise when he abolished the law of entails, or hereditary ownership of property, Andrew Jackson when he vetoed the U.S. Bank, and Jimmy Stewart when he made *Mr. Smith Goes to Washington,* one of Hollywood's all-time favorite populist films. And now comes Richard A. Viguerie, publisher of *Conservative Digest,* direct mail wizard and G-2 officer of the New Right, with a book that asks, "Is a New Populist Revolt on the Way?"

The short answer to that question is, probably so. There has almost always been a new populist revolt on the way. Ten years ago, for example, there were the McGovernites and the Naderites, described then by author Simon Lazarus as the genteel populists, presumably because their assault on big business sprang not from the soil but from the law schools. Hard on their heels was Jimmy Carter, a genuine southern populist who did spring from the soil and possessed that special southern distrust of and dislike for Wall Street and the northern industries that southerners had blamed since the Civil War for their retarded economic development.

In the fine tradition of American politics—best represented by Teddy Roosevelt's co-option of the farmer-labor Populist party that had been formed in 1892 in opposition to the railroad trusts—Mr. Carter tried to co-opt the genteel populists by bringing them into his government. But their public support was always considerably less than was indicated by the amount of press attention they were able to attract, and they proved to be somewhat less than a powerful ally. Their ineptitude in government, in that their crusade was quickly perceived as largely self-serving, contributed to Mr. Carter's failure to win reelection. But the Carterite-Naderite coalition did accomplish something useful, partly by accident. Mr. Nader's famous rage at being bumped off an airline flight helped spark a realization among his followers that the best way to punish big business was not to regulate it, as populists had been doing for years, but to deregulate it, and thus subject it to more competition. Without quite knowing what they were doing, the Carterites and Naderites embraced Adam Smith.

Meanwhile, there were the tax revolt populists and Mr. Viguerie's New Right, both of which greatly aided the election of Ronald Reagan and hence the decline of the genteel crowd. Since Mr. Viguerie's populists have already scored one large success, it seems a bit disingenuous for him to ask whether a new populist revolt is coming. He would have been more precise if he had asked whether his populist revolt is going to come storming back in a second wave.

But then, precision is seldom an attribute of political rhetoric. What Mr. Viguerie is saying is that the New Right is not yet satisfied with what it has accomplished. Not by a long shot. Big government, big business, big banks, big unions, big law, big education, and big media are still solidly entrenched. He catalogs their sins mercilessly. Seldom in the history of populism, if ever, has such a sweeping attack on all of America's institutions been launched. He assaults the New Right's enemies in the most effective way possible, by quoting their own words. He has Walter Mondale saying that the United States is "rapidly coming to resemble South Africa," Tip O'Neill saying that "the John Birchers are in control of the Republican Party," Senator Cranston saying U.S. arms control efforts have never been "fair to the Soviet Union," former *New York Times* writer Seymour Hersh describing the "sterling character" of Ho Chi Minh, and William Winpisinger, the left-wing Machinist Union chieftain, saying doctors are "sons of bitches." Mr. Viguerie, skilled polemicist that he is, devotes 23 pages to good old-fashioned populist political cartoons, most devoted to the theme of big something or other taking advantage of the little guy. "I use the term populism," writes Mr. Viguerie, "to refer to the school of political thought that places emphasis on the rights of average citizens and defends those citizens against the concentration of political power in the hands of an elite."

Mr. Viguerie's political targets in the Democratic party no doubt have been asking themselves for some time now how the New Right managed to sneak in and steal the crown jewels of American politics. He has appropriated populism for a constituency that describes itself as conservative, thus turning the traditional concept of conservatism on its ear. However, it wasn't the New Right but American liberals themselves who upended the traditional concept that matched populism with liberalism

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and conservatism with the establishment. They became the establishment, and as establishments tend to do, they got out of touch with the people. When that happens in American politics, there are always political entrepreneurs waiting to take advantage of the situation. Mr. Viguerie is just such an entrepreneur. He is regarded as a master at the art of feeling the public pulse and responding to political discontents. His direct mail campaigns on behalf of the New Right show a high level of political skill—so much so that he is in danger of becoming assimilated by the establishment himself. His name turns up frequently in the *Washington Post,* which even saw fit to chronicle his acquisition of a part interest in a pizza parlor last year. When a reporter wants a good quote on the latest abomination of the establishment, he or she picks up the phone and calls Mr. Viguerie. The reporter is seldom disappointed. Ralph Nader waits by the phone in vain, a superseded prophet.

But what of Mr. Viguerie's politics? The establishment always deserves to be attacked, but there will always be an establishment of some kind. The one we have now, for all its flaws, is more serviceable and responsive to public demands than Mr. Viguerie chooses to admit. And in truth, the New Right's rebellion has been a relatively mild one, as rebellions go. It doesn't want the government to take over the railroads, as the old Populist party demanded. It does want an end to abortion, but then so does President Reagan, the leader of the federal establishment. It wants to restore the nation's traditional values, "self-reliance, decentralization and open and responsive government," but that is hardly a revolutionary theme. Mr. Viguerie's manifesto, "100 Ways to Make America Great Again," contains very little that would not be acceptable to readers of the *Wall Street Journal,* many of whom might be thought to be members of the establishment themselves. He wants a line-item veto for the President to restore control over the budget, repeal of the Davis-Bacon Act and its tendency to jack up construction costs, tougher sentences for criminals, etc. Most of this is just good practical advice, coming from a keen student of American government who is in touch with the country and the people. Any politician of Left or Right, whether he does or doesn't agree with the New Right's position on abortion, busing, or school prayer, would do himself a favor to read Mr. Viguerie.

Populism in its broad sense has always been here and will continue to be here, or at least we can hope, for a long time. It will change as people perceive the need for change. Politicians who can interpret and respond to those changing public perceptions will succeed. Old James II was wrong when he declared that populacy was a fool's paradise. It is a system of great complexity that functions best when it has the services of political specialists like Richard Viguerie. He, too, may someday be all alone by the telephone as some new form of populism supersedes the present brand. But he will have served the political process well during his time on the stage.

George R. Melloan

GEORGE R. MELLOAN *is deputy editor of the* Wall Street Journal *editorial page.*

Allah's Well in Politics

In the Path of God: Islam and Political Power, *by Daniel Pipes (New York: Basic Books).*

The Eskimos have emerged as the world's leading artists and scholars, factories in Greenland are outproducing those of Japan, and invaders from the far north, with vastly superior arms and organization, have conquered the United States and the Soviet Union. Imagine this and your reaction to it and you have a fair idea of how astonished Muslims were when they fell under West European control. The analogy is Daniel Pipes's, and it is the sort of insightful presentation that sets *In the Path of God* apart from the recent spate of didactic efforts by Islamicists and quickie potboilers by journalists on the "Islamic revival." Readers who are not specialists on the Middle East and Islam will find a reasoned, literate explication of whence this bewildering Islamic resurgence has come and whither it is going. Specialists, although they may be shocked and dismayed by parts of his work, can also profit from Mr. Pipes's approach.

Otherwise reasonably well informed Americans have for a decade been floundering in a welter of incomprehensible information: holy wars proclaimed, Iran apparently hurtling devil-may-care into the twelfth century, beheadings, dismemberments, Sunnis and Shiites, mahdis, imams, mullahs, ayatollahs, Muslim fanatics, Islamic Jihad, Muslim Brotherhood. Why are these people, with their rather quaint folkways and vaguely threatening religion, acting in such a beastly manner? Nationalism we can understand, and ideology, but people willing to die for religion? However violent, this is, after all, the twentieth century. Mr. Pipes, a Harvard lecturer who has hitherto been known principally as an expert on medieval Muslim armies, helps us make sense of it all.

The Western experience does not equip us to understand Islam and its relationship to political power. The conventional division of political movements into left and right wing is of little use in categorizing Islamic movements. Regarding Islam as a faith rather than something much more complex and encompassing—the sort of Western predisposition implicit in calling differences in Lebanon "confessional"—is of even less value. Mr. Pipes would have his readers restructure their thinking about religion and politics, and the best way of achieving this is by tracing the development of Islam.

Beginning in Arabia in the seventh century, Islam came eventually to hold sway over peoples from the Pyrenees to the Philippine archipelago. Its expansion was not always by conquest, and Arabs never controlled vast areas of Dar al-Islam, the name given the sum of territory under Muslim rule. Within this diverse community of believers, called the *umma,* "polytheists became monotheists, monogamists became polygamists, matrilocals became patrilocals, matrilineals became patrilineals, cow-worshippers became beefeaters, bride prices replaced dowries, and fruit juices replaced alcohol." For all their diversity, Muslim societies resemble one another to a remarkable extent. The agency enforcing this homoge-

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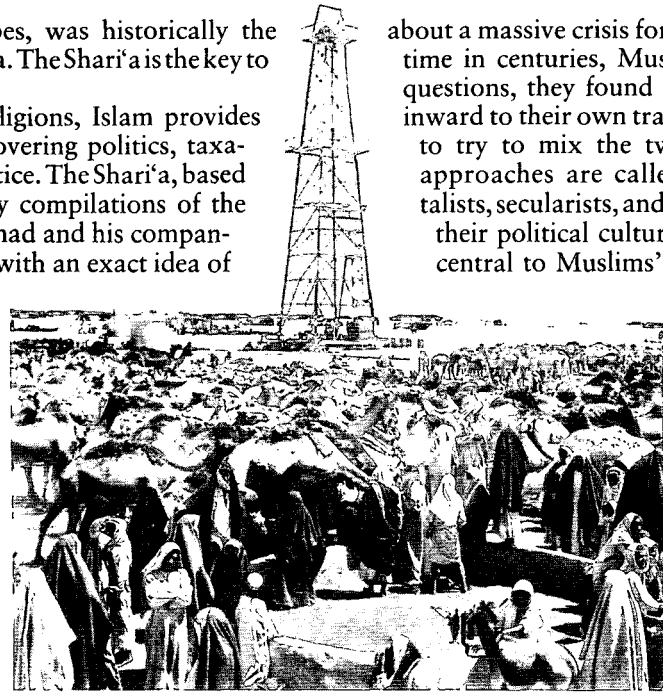
neity, according to Mr. Pipes, was historically the sacred law of Islam, the Shari'a. The Shari'a is the key to Islam in politics.

Alone of all the major religions, Islam provides specific and detailed laws covering politics, taxation, war, economics, and justice. The Shari'a, based on the Qur'an and scholarly compilations of the sayings or deeds of Muhammad and his companions, has provided Muslims with an exact idea of how they should act. But Islamic law, as Mr. Pipes points out, "is as much an intellectual's vision of politics as Marxism, and just as impractical." The Shari'a forbids the spilling of Muslim blood by Muslims in war and severely restricts the imposition of taxes, which was fine as long as all Muslims were united under one government and the inflow of booty was uninterrupted. But once Muslims were split among rival states and expansion had passed its high-water mark, Islamic laws had to be reconciled with reality. Mr. Pipes calls the balance that emerged between the goals of the Shari'a and human realities the "medieval synthesis." Muslims developed compromises and withdrew from public life. This combination of the ideal and the pragmatic held for centuries in several continents—until the arrival of the Europeans in the 18th century.



Europeans had appeared in force in Dar al-Islam before, of course, notably during the Crusades and the Spanish Reconquista. But during the Renaissance the best Muslim minds were writing of a Europe covered in cold mists and inhabited by savages. Suddenly, the savages reappeared in the Muslim heartlands as explorers, soldiers, traders, missionaries, administrators, and scholars. What had happened? European military strength was not a result only of new weapons and tactics. While Muslims had gone about their business secure in their superiority and confident of God's favor, the Europeans had been busy developing parliaments, commanding the loyalties of their citizens and subjects through political parties and new ideologies, educating, printing, and informing, strengthening capitalist institutions, and bringing it all together with paved roads, canals, and shipping lines. In a sentence bound to infuriate many Middle East specialists, but nonetheless true, Mr. Pipes writes: "Europeans were strongest because they were the most civilized, the richest, and the healthiest people in the world." The Muslim rulers, whose *raison d'être* was to defend the umma against the infidels and apply the Shari'a, could do neither. By 1919 almost the whole of Dar al-Islam was under Western control. The Muslims' world was shaken to its foundations, and with it their self-confidence. In destroying the medieval synthesis, the Europeans transformed the role of Islam in politics.

Military defeat and cultural subjugation brought about a massive crisis for Muslims. When, for the first time in centuries, Muslims began rethinking basic questions, they found three broad options: to turn inward to their own tradition, to turn to the West, or to try to mix the two. Partisans of these three approaches are called, respectively, fundamentalists, secularists, and reformists. The Shari'a, key to their political culture in the premodern era, was central to Muslims' choice between the options. Fundamentalists would rely on Islamic law even more, secularists would reject it entirely, and reformists would change it to fit Western ways. The split over the Shari'a's role has been central to the two-century-long Muslim debate on politics and religion. The debate represents the conflict between modernization and Westernization, terms by no means synonymous.

Muslims are in general agreement on the necessity of modernization for national wealth, for economic and military strength. Fundamentalists are most convinced that modernization can be achieved without Westernization. Mr. Pipes observes, however, that "the chances for becoming modern without Westernization are about as good as conceiving children without sex."

On the whole, specialists will find little new in Mr. Pipes's competent examination of the secularist and reformist trends except in his observation that Mu'ammar al-Qadhdhafi, "a man of fanatic temperament and unbalanced emotions," has carried reformism to its logical extreme and illustrates the bankruptcy of reformist thought. Fundamentalists have been making the headlines nonspecialists have been reading, and it is on Islamic fundamentalism that Mr. Pipes makes a major contribution. Fundamentalism is distinct from traditionalism. Traditionalists accept the medieval synthesis; fundamentalists seek to implement the Shari'a in its entirety. Traditionalists usually stay away from politics; fundamentalists of the Khomeini ilk stir passions, lead crowds, and organize sedition against secularist and reformist regimes. Mr. Pipes shows, however, that the fundamentalists are mistaken in their beliefs that the umma has historically implemented the Shari'a in its totality and that their movements are within the mainstream practice of Islam. The theocracy Mr. Khomeini called for was something almost without precedent in Muslim history.

Central to Mr. Khomeini's fundamentalist success and to the general Islamic revival is, in Mr. Pipes's view, the oil boom. For Muslims, the oil boom was the paramount event of the late twentieth century. It enhanced the standing of Muslims in the world, thereby renewing their self-confidence and improving their attitudes toward Islam; Saudi Arabia and Libya acquired the wealth and standing to promote Islamic causes around the world; and petro-wealth's disruption of Iranian society paved the way for

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Mr. Khomeini's fundamentalist experiment, in turn affecting Muslims beyond Iran. But for oil, Mr. Khomeini would never have overthrown the shah and there would have been no theocratic experiment. Therefore, because it arose not from Muslim achievements but from freak circumstances, Islam's revival was not a natural event. Islamic revival is a mirage to the extent that it is based upon the oil boom, according to Mr. Pipes, and almost fourteen centuries of Islamic history makes it clear the fundamentalist efforts to implement the Shari'a in its entirety must fail. In the long run, he writes, "no people's modern experience will have harmed Islam so much as the Iranians', whose experiment with theocratic government will surely be consigned to what Imam Khomeini calls the 'refuse bin of history.'" Mr. Pipes forecasts that as Muslim wealth and power vanish as rapidly as they appeared and the Iranian government collapses, fundamentalist movements will be discredited. Muslims will again regard their religion as an obstacle to progress and will turn to other, historically Western-oriented routes: liberal, Communist, or some combination of the two.

In today's Middle East studies establishment there are three things the prudent writer avoids at all cost: admitting an orientalist method, focusing on the impact of the West, and comparing Judaism favorably to Islam. Mr. Pipes, directly or by implication, does all three. In each case, I believe his approach has some justification.

In the field, Mr. Pipes is almost unique in defending the orientalist approach to the study of Islam. Using Western methods of inquiry and relying heavily on language skills, philology, and the study of texts, orientalists dissected, scrutinized, and analyzed the culture and history of the Muslim peoples. They have been vilified, not always without cause, as racist, ethnocentrist, and being in the service of Western imperialism. We all must be from somewhere, however, be products of some culture and some time, subject to some predispositions and values. More to the point, for examining the subject of Islam and politics there is no real alternative to working within the orientalist tradition. Those Muslims who write most thoughtfully about the relationship between Islam and politics are almost always products of Western education and more indebted to the orientalist tradition than they care to admit. In taking an avowedly orientalist approach, Mr. Pipes has acted with intellectual courage.

There are problems with the orientalist tradition, however—problems inherent to any systematic examination of another culture: the assumed superiority of the analyst to his subject, patronizing attitudes, and perhaps unfounded generalizations. In some cases the alternative to what may at first seem a gross oversimplification may be worse. For Muslims, writes Mr. Pipes, modernization means "becoming powerful and rich." A generation of graduate students has had to memorize the alternative definition provided by Cyril Black in *The Dynamics of Modernization:* "the process by which historically evolved institutions are adapted to the rapidly changing functions that reflect the unprecedented increase in man's knowledge, permitting control over his environment, that accompanied the scientific revolution." Which is worse? Specialists will also fault Mr. Pipes for treating Islam and Muslims as a single unit. His response is that of course Muslims in Morocco and Indonesia differ, but what is remarkable is not their dissimilarities but how much they share. His approach is to examine Islam in politics through these similarities.

The second area in which Pipes will stand accused by his colleagues is the emphasis underlying his work that the impact of the West was a primary factor in the development of the Islamic revival. What would seem on the face of it to be self-evident is by no means agreed upon by Middle East specialists and Islamicists. The current trend in Middle East studies is one of "decolonizing" the history of the Muslim peoples. The view has been expressed that the writing of the history of Muslims and Islam has been a Western captive. The Islamic peoples, it has been held, have been treated historiographically as docile creatures only to be acted upon by the dynamics of Western history, and not as actors in their own rights. As in most arguments of this sort, elements of it are undeniably true. But what had been the alternative to Westerners' writing modern Muslims' history for them? Muslims were writing very little of it themselves. In 1942, the British Arabist H. A. R. Gibb observed that he had not seen a single book written in Arabic for Arabs themselves clearly analyzing Arab culture. His assertion is only marginally less true today.

For the Middle East, at least, there has not been a single major historical development in the last two centuries that was not shaped by, or in response to, the impact of the West. That is even more true for the Islamic revival. It was in response to a dislocation occasioned by the impact of the West. It was brought about as a result of oil wealth and fueled by it. Middle Eastern oil is a resource explored by the West, extracted by the West or under Western guidance, shipped by the West and Japan to Western and Japanese markets. It is difficult to conceive what would be the source of Muslim wealth in the twentieth century were it not something under the ground, found and taken out by others. Mr. Khomeini orchestrated his revolution on Japanese cassette tapes, news of his successes was spread to Muslims throughout the world by Western news media, and Iran fights its war with Western arms.

The third area in which Mr. Pipes will be faulted by specialists will be comparing Judaism favorably to Islam. This comparison is only by implication, but the Judaic experience is heavily used as a foil against which Islamic development is examined. It works to the extent that Judaism had an influence upon the premodern development of Islamic institutions. But Mr. Pipes's use of the Judaic foil is his prerogative and in the grand tradition of Islamicist scholarship, notably S. D. Goitein. In like manner, Gustave von Grunebaum used his firm footing in the classics to analyze Islam.

It is where Mr. Pipes departs from the orientalist tradition that he is on shakiest ground. Large borrowings from V. S. Naipaul and somewhat less from J. B. Kelly, both of whom have their virtues outside the study of Islam, do little to enhance Mr. Pipes's work. The subjectivity anti-orientalists want is not a subjectivity hostile to Muslims. Mr. Pipes had to leave the orientalist tradition, which relies on primary historical sources, to construct

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his survey of countries chapter. The country-by-country breakdowns of the levels of the Islamic revival are useful as an overview but flawed by specific emphases or lack of emphasis. The overemphasis on the Sunni-Shi'i factor in Iraq and the absence of any mention of religious orders in the section on Morocco are examples.

Mr. Pipes has provided for nonspecialists a comprehensive understanding of the roots of the Islamic revival and what it means in the politics of an important part of the world. For specialists he has written a provocative book. It is the rare work on Islam, and a prodigious feat of writing, that can have the influence on both groups this study should have. We have but to see whether a systematic rebuttal will appear before Mr. Pipes's predictions come to pass.

Bruce D. Hardcastle

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The Russians Are Coming

The Grand Strategy of the Soviet Union, *by Edward Luttwak (New York: St. Martin's Press).*

This is less a book than a provocative and insightful essay, less a scholarly treatise than an intelligent and persuasive polemic. Edward Luttwak, the *enfant terrible* of American strategic studies, has brought to bear on the study of the Soviet Union a breadth of scope that, though not without its faults, is as unusual among students of strategic matters as it is welcome. Equally important, he brings a rare technical understanding of military matters to a field often left to political scientists or historians ignorant or disdainful of such specialized knowledge.

The author's writings make up something less than half of this short volume, some 118 pages, to be precise. The rest consists of two articles by associates of his on the Soviet economy and the anatomy of the Soviet armed forces. Their technical articles (replete with charts and tables), useful though they may be as reference material, have neither the charm nor the penetration of Mr. Luttwak's analysis.

Mr. Luttwak compares the grand strategy of the Soviet Union to that of other great empires, including Rome and the British Empire. This is more than affectation, since Mr. Luttwak is the author of a sound and scholarly work on the grand strategy of the Roman Empire and has long taught courses on comparative grand strategy. To his credit, he does not make a mechanical use of reasoning by analogy; one of the most interesting parts of his book, for example, discusses why the process of Soviet imperial collapse will be quite different from that which worked on the postwar European empires.

The Soviet Union's leaders, Mr. Luttwak argues, at once justly fear for their countries' ability to survive in the long term, even as they realize the enormous power of their large, well-equipped, and well-run armed forces. This is a dangerous state of affairs: ". . . it is notorious that the conjunction of a long-term regime pessimism with current military optimism is the classic condition that makes deliberate war more likely." Without exaggerating the Soviet Union's real military weaknesses, from its dependence on non-Russian nationalities to the defectiveness of Soviet technology in some areas, Mr. Luttwak argues that Soviet power is, temporarily at least, on the rise—and dangerously so.

According to Mr. Luttwak, it is unlikely that this power will be used directly against Western Europeans and the United States; instead, the Soviets will try to crumble and attenuate the Western Alliance, for their goal is less the physical domination of Europe than its reduction to a state of benevolent neutrality. The real likelihood of a Soviet-launched war could occur in the Far East, to end for good the latent threat of a modernizing China. The Soviets' ability to launch a successful first strike against Chinese nuclear weapons and facilities is far greater than ever before—greater even than when Soviet officials approached their American counterparts some 15 years ago seeking to discover what American attitudes would be to a preemptive Soviet attack on the People's Republic of China. An attack on the PRC would have as its operational objectives the destruction of nuclear and scientific facilities, the separation from China of the vast thinly populated glacis between the core areas and the Soviet border, and ultimately the division of China into weak and feuding states.

The Soviet armed forces now possess the ability to intervene swiftly and decisively in many corners of the world. Mr. Luttwak contrasts the speed and craftiness of the Soviet incursion into Afghanistan some four years ago with the mechanical breakdowns, bumbling soldiering, inadequate intelligence, and general ineptitude of the invasion of Czechoslovakia. He points out the skill with which Soviet special forces neutralized possible Afghan resistance (the engines of an Afghan armored unit, for example, were withdrawn shortly before the invasion supposedly for a periodic overhaul) and the speed with which Soviet forces penetrated a mountainous country well-suited to armed resistance. He observes that contrary to stereotype, Soviet military leaders have shown themselves capable of adroit and flexible military operations. He gives a brief but fascinating account of how a Soviet general managed an unwieldy trinational force of Soviet advisers, Cuban proxies, and Ethiopian peasants in 1978, an operation that culminated in the establishment of a reliable Ethiopian client state.

This, for Mr. Luttwak, is the most significant development of the last decade and a half, the development in Soviet leaders of operational confidence in their armed forces. Here, perhaps, his argument is most provocative and most open to question. He explains that the failure of Soviet-trained and Soviet-equipped Syrian forces in the recent war with Israel reflects not on the deficiencies of the Soviet Union but on the capabilities of the Israelis. He does not mention (the book was in press) the shooting down of KAL 007 and all that it revealed, not simply of the failures of the Soviet air defense system, but of the

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inability of the Soviet system to cope with failure.

In many areas of *deployed* technology, Mr. Luttwak asserts, the Soviet armed forces are now the equal or even the superior of their Western opponents. It is only now, for example, that the United States has begun the production of an infantry vehicle comparable to the Soviet BMP. He spends less time on Soviet organization, morale, and training, in which areas the Soviets are less well off, although such matters are of course difficult to quantify. Nonetheless, one can only conclude that the Soviet Union has conducted a campaign of armament unprecedented in history, one that has paid substantial dividends, as demonstrated in Africa and now Afghanistan. Although the United States could hardly remain neutral in the event of an attack on China or in southwest Asia, Mr. Luttwak doubts that American forces will recover the capability they once had to physically contain Soviet expansion. In this connection, he strikes the reader as being far more pessimistic than the current administration, which seems to believe that some marginal increases in defense spending will restore the United States to the position of relative military superiority that it had in the early 1960s. As Mr. Luttwak observes, such hopes are chimerical.

Mr. Luttwak has a reputation—well-deserved—for acidic judgments and cutting humor wielded without mercy against inept opponents. To those put off by that reputation, this book will come as a pleasant surprise. His judgments are thoughtful and balanced: His picture of the Soviet threat is a complicated and sophisticated one that takes full account of the many weaknesses and vulnerabilities of the Russian regime.

Mr. Luttwak does not pretend to be a Sovietologist. He is, rather, a student of general history and of military history in particular. There will be those who will regard this book as a presumptuous intrusion into a domain that should be reserved for those who devote a lifetime to the mastery of Russian history, language, and politics. Yet there is a place for the reflections of those whose interest in the Soviet Union is serious but not all-consuming. In an age of arid academic overspecialization, Edward Luttwak's writing serves a particularly useful purpose in helping us understand this country's greatest adversary.

Eliot A. Cohen

ELIOT A. COHEN *is assistant professor of government at Harvard.*

Nowhere Men

The Coercive Utopians: Social Deception by America's Power Players, *by Rael Jean Isaac and Erich Isaac (Chicago: Regnery Gateway).*

In 1979 the U.S. Office of Consumer Affairs granted $131,526 of taxpayers' money to the Environmental Action Foundation, whose paperback primer *Ecotage!* offers suggestions of action ranging from sprinkling nails on the highways to mailing dead fish to oil executives. In 1976 the United Church of Christ merited a $10,000 award from the People's Bicentennial Commission for "evidence likely to lead to the arrest and imprisonment of the chief executive officer of a Fortune 500 company." In July 1981 the Department of Education sent out the second installment of a $244,000 grant to the Council on Interracial Books for Children for a new third-grade reader because existing textbooks "deny the realities of capitalism and all that goes into it—classes, conflicting class interests, and the ongoing struggle between the few who control wealth and those many who are trying to share wealth."

In 325 fact-filled pages, Rael Jean Isaac and Erich Issac show how left-wing groups deftly use government and foundation monies to exert an influence far beyond their number. Borrowing a term first used by scientist-journalist Peter Metzger, the Isaacs have entitled their book *The Coercive Utopians*. Philosophically, the activists are utopian because of their implicit belief that "man is perfectible and the evils that exist are the product of a corrupt social system"; practically, this translates into a hatred of the marketplace, a paranoid distrust of technology, and a concomitant romanticization of collectivist regimes. Indeed, the leaders of public interest groups, according to a poll by Stanley Rothman and S. Robert Lichter, give Fidel Castro an approval rating of 34 percent, seven times higher than Ronald Reagan's 5 percent. Since the mass of human beings traditionally prove uncooperative in adapting to utopian planning, sooner or later the utopians are reduced to coercion in the name of perfection.

Environmentalism provides a perfect paradigm of a movement that somewhere crossed the line of reasonable reform into fanaticism. Originally, the environmentalists enjoyed broad popular support, simply because most Americans wanted cleaner air and water. But environmentalists lost all perspective about risk and cost, promoting policies that were often both fiscally insane and scientifically dubious. In 1980, for instance, an independent oilman reported that he had to pay $1,400 to have 40 acres of a prospective oilfield certified free of Indian arrowheads before he could file an environmental impact statement.

Typically, the environmentalists have been quicker with the regulatory trigger than with the hard evidence. The 1972 decision of William Ruckelshaus, head of the Environmental Protection Agency, to ban DDT was less a scientific than a political response; Mr. Ruckelshaus did not attend the hearings on DDT, nor did he even bother to read the transcript, which contained the hearing examiner's conclusion that "DDT is not a carcinogenic hazard to man" and that "there is a present need for the essential uses of DDT."

Such laws as the Endangered Species Act, "originally passed out of concern for the dwindling numbers of buffalo, whooping cranes, sperm whales, and other increasingly rare creatures," have been stretched to the point of farce. Sometimes the "discovery" of new endangered species stalls federal projects, as was the case with the infamous Furbish louswort on the site of the proposed Dickey-Lincoln Dam in northern Maine. A whole new industry has been created to search for these

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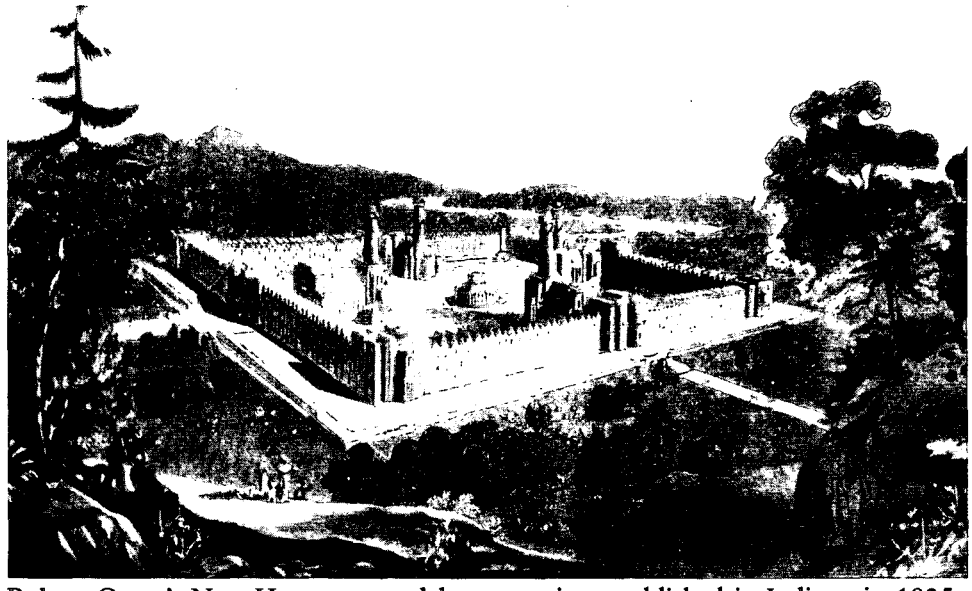
endangered species, commanding as much as $10,000 for a few weeks' search.

As the Isaacs point out, the success of activist groups like the environmentalists derives from their marked ability to "couch their appeals in terms of values Americans share." Their preferred tactic is not to attack directly but to undermine, by diminishing public faith and confidence in such institutions as the CIA, business, nuclear energy facilities, local governments, and so on. Thus organizations like the Center for National Security Studies—an Institute for Policy Studies spin-off—can work closely with governmental bodies like the Senate Select Committee on Intelligence on the "reform" of U.S. intelligence agencies. Yet the record of the center indicates an emphasis not so much on reform as on abolition: Center director Morton Halperin has consistently defended CIA defector Philip Agee, and the speakers' bureau for *CounterSpy*, which has published the names and addresses of CIA agents around the world, includes several persons from the center.



Robert Owen's New Harmony model community, established in Indiana in 1825, collapsed after only two years when its workers stopped working.

Of late, however, the most successful—and dangerous—effort of the utopians has been their radicalization of America's mainline Protestant churches (though the Roman Catholic clergy appears eager to catch up). Once a bulwark against radical fantasy, even the traditionally conservative Protestants, like the Episcopalians, have mobilized their considerable financial, human, and institutional resources in support of everything from Third World terrorism to the nuclear freeze.

Many of these groups were either formed during or radicalized by the Vietnam War, like Clergy and Laity Concerned about the Vietnam War (now just CALC). Together with the Physicians for Social Responsibility, Fellowship of Reconciliation, Pax Christi, the Riverside Church Disarmament Program, and others, CALC agitates for a freeze out of a conception of America as the world's archvillain. "What seems very clear," the Reverend James Lawson told CALC's 1982 national assembly, "is that the number-one enemy of peace and justice in the world today is the United States."

The common threads that seem to run through these church organizations are a pronounced reluctance to criticize aggression by the Soviets and an enthusiasm for terrorists, especially the Palestine Liberation Organization.

The United Methodist church has been the largest denominational supporter (more than $5 million in 1981) of the radicalized National Council of Churches. In southern Africa, for example, the United Methodists' World Division gave money to both Bishop Abel Muzorewa's and Robert Mugabe's movements until Bishop Muzorewa, head of the Zimbabwean Methodist church, became head of a biracial government in 1979. After that the Methodists funded only Robert Mugabe's group, which did not accept the election results and engaged in terrorist activity against Bishop Muzorewa's government.

With the recent peace movement the utopians have had their most spectacular gains because, the Isaacs say, "it was far more plausible to argue that the survival of mankind was threatened by nuclear war than to claim the earth was on the verge of extinction from poisons in the air, sea and water." The freeze idea itself had its birth at a summer 1979 meeting of the American Friends Service Committee, which included Richard Barnet of the Institute for Policy Studies. Characterized by a doomsday messianism—Jonathan Schell's *The Fate of the Earth* and ABC-TV's *The Day After* are two good examples—the freeze movement conjures the specter of nuclear annihilation in the push for what amounts to unilateral disarmament.

Though the notion that all peace proponents are agents of the KGB is ludicrous, certainly there has been some Soviet involvement. The World Peace Council and the U.S. Peace Council, which collected signatures for the freeze petition, are giant Communist front groups with large budgets. KGB officers are present at freeze rallies and have been active in inciting the protests against the recent deployment of the Pershing II missiles in Europe. Yet the peace groups never complain; nor did they put up a howl when the Soviets first committed to a mental asylum and then expelled one of their own citizens, Sergei Batovrin, for starting a peace movement there.

Given that few activist groups would ever make it on their own financially, how do they get by? Though their money comes from a variety of sources, foundation and government funds have been their staple. David Jessup

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reported to the Methodists' 1980 general conference that most laymen "would react with disbelief, even anger" were they to learn about some of the groups on the receiving end of the collection plate. Even foundations like Ford, which became so heavily anticapitalistic that Henry Ford II resigned from its board in 1976, can stray far from the benefactor's original intent. But both churches and foundations are at least private and voluntary: Far worse is when the government subsidizes these groups with taxpayer dollars.

Access to public funds became easier with the migration of utopians into government during the Carter administration, many into subcabinet and influential White House spots. Equally significant is that about half of all federal judgeships are held by Carter appointees. It is in this branch of government, the furthest removed from the public, where the regulatory battles are settled, often to the utopians' advantage. In 1981, for example, a precedent-setting judge's decision required the government to pay legal fees to opposition lawyers even though the government had won the suit brought against it. In another case, the Legal Services Corporation almost succeeded in divvying up among activist groups some $18 million the government had allotted to people who could not afford to pay their fuel bills.

The examples cited here but scratch the surface of *The Coercive Utopians*. Page after page and chapter after chapter yield spadefuls of rich information concerning the principles, funding, and activities of the so-called public interest spectrum. There is a section on how Ralph Nader has been able to seize the moral high ground (and power) despite his flagrant use of the double standard. His campus-based Public Interest Research Group (PIRG), which covers some 175 campuses in 30 states, is typically funded by automatic contributions (sometimes collected in student activities fees) unless the student specifically requests otherwise—the "negative option" that Mr. Nader has attacked when used by book clubs.

Doubtless this book is not going to cause any cheers among the popular press. It is a good bet that if it is not ignored entirely, the book will be criticized for one of its sources, John Rees, publisher of *Information Digest* and the subject of unflattering remarks by everyone from *CounterSpy* ("extremely dangerous") to the FBI ("unscrupulous"). The real question, however, is not Mr. Rees's character but the veracity of his information—a question many would prefer not to ask.

Near the end of the book, the Isaacs quote Dutch journalist Jan Van Houten: "While the right frequently wins elections, the left frequently remains in control of pivotal institutions that shape public opinion." The authors have spent the better part of their careers, in articles for publications ranging from *Commentary* and the *American Spectator* to *Reader's Digest* and the *New Republic,* documenting how the Left has been so successful. In *The Coercive Utopians* they have put it all between two covers, showing that however diverse the expressions, utopian movements all flow from one principle—that although perfection often proves impossible, reality is intolerable.

William McGurn

WILLIAM MCGURN *is managing editor of* This World *magazine in New York.*

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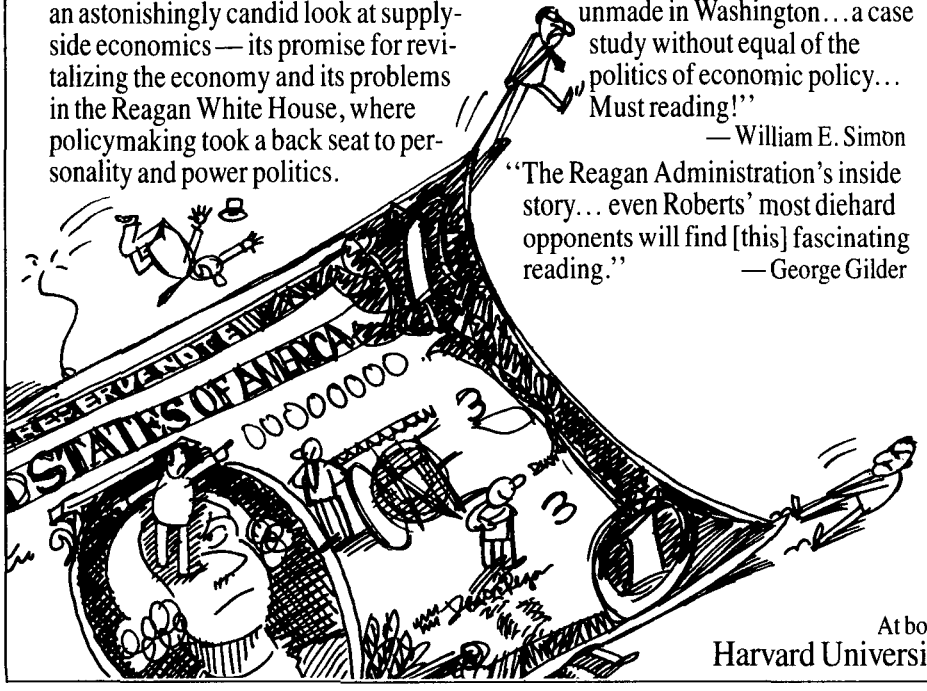

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The Leftist with a Conscience

Danton, *directed by Andrzej Wajda.*

The names of Georges Jacques Danton and Maximilien Robespierre are as inextricably bound to each other as they are to the most appalling period of the French Revolution—the Reign of Terror in 1793 and 1794. More than any other individuals, Danton and Robespierre represent the birth of the modern Left; indeed, the very word left comes from the location of their seats in the revolutionary national assembly. And the showdown between them in 1794 has long been the archetype of the bloody struggles that inevitably consume all left-wing revolutions—from Kerensky vs. Lenin, to Trotsky vs. Stalin, to Bishop vs. Coard.

The September massacres of 1792 were the first mass political purge of modern history. The radical Jacobins ruthlessly slaughtered their enemies who favored a constitutional monarchy and, in an atmosphere of intimidation, organized elections that returned to the national assembly a left-wing majority, the Convention. Two main factions dominated the Convention—the Gironde (Left) and the Mountain (extreme Left)—and in 1793, after the guillotining of Louis XVI and his queen Marie Antoinette, the Mountain proceeded to eliminate the Gironde. Its instrument of terror was the Committee of Public Safety, forerunner of the Cheka and the KGB. The Revolutionary Tribunal was created to expedite justice; before long, trial, judgment, and execution were taking place on the same day.

Mounting Madness

Danton, as leader of the Mountain, was the first head of the Committee of Public Safety and one of the founders of the Revolutionary Tribunal. But in the summer of 1793, after the death of his wife, he apparently lost his nerve and tried to retire from politics. He seems to have regretted taking the Revolution as far as he did, and toward the end he said, "Mieux vaut être guillotine que guillotineur"—better a victim than a butcher be. He died

MASSACRE OF THE FRENCH KING!
VIEW OF
La Guillotine;
OR THE
MODERN
Beheading Machine,
AT PARIS.
By which the unfortunate LOUIS XVI. (late King of France) suffered on the Scaffold, January 21st, 1793.

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under the same guillotine to which he had condemned so many of his enemies.

Robespierre, who took over the Committee of Public Safety, had no such compunctions. "The weapon of the republic is terror," he shouted in the national assembly, "and the strength of the republic is virtue: without virtue, terrorism is evil, without terrorism, virtue is powerless." You can argue that only intellectuals (Danton and Robespierre were lawyers) could come up with such breathtaking madness in the depth of a national crisis, yet generations of revolutionaries since then have adopted the same logic. When the revolution is in danger, everything that defends it is permitted.

Contre nous de la tyrannie
L'étendard sanglant est levé.

Robespierre was a man of ice-cold passion, chaste and ascetic. He was called, even by his enemies, the Incorruptible. Danton was almost Voltairian by contrast, a man of large appetites, sexual and gastronomic, a man of family and property, contradictory and colorful, immensely popular as an orator, yet called the blood drinker by his enemies. He was not above a little dipping into the public purse, Chicago-style. The people loved him but Robespierre loved the People.

Georges Jacques Danton

With the help of a subvention from the Socialist government of France, the dissident Polish director Andrzej Wajda has made a movie that focuses on their showdown. Mr. Wajda has chosen to play Danton and Robespierre as the moderate versus the monster, the man of the people against the man who believes in the People. The trouble with this is that though there is a good deal of truth in these characterizations, they do not explain how France had fallen into the hands of such men in 1793, nor are they sufficient to illuminate the ideas and actions that drove them on their disastrous course. The Reign of Terror is unintelligible if seen only through the eyes of the leading terrorists, particularly when practically all that we see is their maneuvers against one another.

Danton opens with the popular leader of the Mountain returning to Paris with his young bride. Aware that the country is being taken to its ruin, he believes he must try to do something about it. Robespierre is plotting against him in the Committee of Public Safety; Danton's friends urge him to flee or to move first against his rival. He refuses: "You cannot carry your country on the soles of your shoes." The Danton of *Danton* is a man with a conscience, but his full responsibility for the situation that he is now trying to salvage is by no means clear. He is presented as a loyal, patriotic man (which assuredly he was) who is determined to stop the extremists from doing their worst. But his own extremism is barely alluded to, and the cruel irony of his own responsibility for what happens to him (and to France) is largely lost. The film's optic is still that of the Mountain, of the far Left: If only the good leftist, the one with a conscience instead of a fanatical passion, had prevailed . . .

Robespierre is played in the movie by the Polish actor Wojciech Pszoniak, whose resemblance to General Jaruzelski is uncanny. Indeed, all of Robespierre's faction are played by Poles, with French voices dubbed; the *Dantonistes* are played by French actors. Danton himself is interpreted by Gerard Depardieu, the kind of brilliant actor who invariably steals the show, and the audience's sympathy, for his character.

Mr. Wajda is trying to suggest that there is something inhuman about totally political animals like Robespierre. There is much truth in this, but it does not follow that a revolutionary—such as the Danton of this film—conversely should earn our esteem and admiration by demonstrating human qualities. What the Revolution in France lacked was not heart but law: procedures, order, the sorts of things that were so important to the authors of the *Federalist Papers,* but that in France were lost in the torment of spiraling radicalization.

Mr. Wajda sensed this but did not really grasp it. The French Revolution continued after the second period, the period of terror. *Danton* gives us but a hint of the third, called the Thermidorian Reaction—the fall of Robespierre a few weeks after Danton—and nothing at all of the fourth, the Bonapartist coup d'état that led to the Empire. In examining how the Revolution became a monster that devoured its own children, Mr. Wajda is concerned with the human qualities of rival revolutionaries. He makes a hero of Danton, the leftist with a conscience, but does not ask whether Danton's vision of social upheaval was partly to blame for the ultimate destructiveness and self-destructiveness of the Revolution.

Roger Kaplan

ROGER KAPLAN *is a New York writer and reviewer.*

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From "Business as Unusual in the Bay State," by Judy Katz in "Around the States."

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